

MEETING
STATE OF CALIFORNIA
THE RESOURCES AGENCY
CENTRAL VALLEY FLOOD PROTECTION BOARD
SAN JOAQUIN AREA SUB-COMMITTEE MEETING

22 EAST WEBER AVENUE
FIRST FLOOR, ROOM 166
STOCKTON, CA

FRIDAY, MAY 30, 2008
9:09 A.M.

LINDA KAY RIGEL, CSR
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APPEARANCES

COMMITTEE MEMBERS

Mr. Francis Hodgkins, Chair

Ms. Rose Marie Burroughs, Member

STAFF

Jay Punia, Executive Officer

Virginia Cahill, Deputy Attorney General

Gary Hester, Chief Engineer

Geoff Shumway, Staff Analyst

ALSO PRESENT

Mr. James B. Giottonini, Executive Director, San
Joaquin Area Flood Control Agency

Mr. Steve Winkler, San Joaquin County Public Works
Department

Mr. Roger Churchill, San Joaquin Area Flood Control
Agency

Mr. Juan J. Neira, San Joaquin Area Flood Control
Agency

Tom Flinn, Director Public Works, San Joaquin County

Ms. Susan Dell'Osso, River Islands

Mr. Glenn Gebhardt, River Islands

Mr. Monty Schmidt, Natural Resources Defense Council

APPEARANCES continued

Mr. Rosalio Estrada

Ms. Deedee Antypas, Siegfried Engineering

Mr. Ricky Doung, DWR

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1 P R O C E E D I N G S

2 --o0o--

3 COMMITTEE CHAIR HODGKINS: Good morning. My
4 name is Butch Hodgkins. I am a member of the Central
5 Valley Flood Protection Board, which used to be called
6 the Reclamation Board. And I'd like to convene the
7 meeting here.

8 Just so everybody understands, this is a
9 subcommittee of the Board who is focused on San Joaquin
10 issues. There are three members of which right now I
11 am the only one that's present.

12 One of the members had a medical emergency in
13 that she caught pink eye from her son, and the other
14 one, Rose Marie, we expect is on her way.

15 But the subcommittee makes no decisions. We
16 basically are here to facilitate communication directly
17 between the Board and its staff and the interests of
18 San Joaquin County. That's our goal here today, and as
19 we get a chance here, we'll talk a little bit more
20 about that as we go along.

21 But it is a noticed meeting, and we have some
22 official business that we have to take care of.

23 Do you want to do roll call, Jay?

24 EXECUTIVE OFFICER PUNIA: Jay Punia, Executive
25 Officer for the Central Valley Flood Protection Board.

1 I think out of the three Board Members of the
2 subcommittee at present, we have only Butch Hodgkins,
3 the Vice President, here. But we are expecting Board
4 Member Rose Marie to join; and as Butch mentioned,
5 Board Member Teri Rie won't be able to join us due to
6 that she has a pink eye.

7 COMMITTEE CHAIR HODGKINS: All of you who have
8 raised kids know as kids grow up you get reexposed to
9 every childhood disease that you thought you were
10 immune to, and you find out you're not.

11 Anyway, the second item here is approval of
12 agenda. So everybody understands, the agenda was
13 fundamentally kind of agreed to between the staff that
14 represents the interests in San Joaquin and our own
15 staff, and it's sort of the first staff here in ongoing
16 dialogue about flood control.

17 Is there any question out there from anybody
18 about the agenda? Do you have a copy of it? Because
19 we are going to try and follow it. There are copies in
20 the back.

21 MR. ESTRADA: Public comment, when are those
22 going to be handled?

23 (Interruption by the reporter)

24 MR. ESTRADA: My name is Rosalio Estrada.

25 EXECUTIVE OFFICER PUNIA: We will open for

1 public comment after each item. And then at the end of
2 the meeting also, we will have a session for public
3 comments.

4 MR. ESTRADA: Where will that be held, back
5 here?

6 EXECUTIVE OFFICER PUNIA: You're asking about
7 the --

8 MR. ESTRADA: Item 8.

9 EXECUTIVE OFFICER PUNIA: We are not coming
10 here. That will be at the site, the last site of the
11 field trip. But for the meeting purposes, we will open
12 for public comment after each item listed on the
13 agenda, and at the end when we disperse the meeting
14 session, we will have a chance for the public to
15 comment.

16 DEPUTY ATTORNEY GENERAL CAHILL: Might I
17 suggest at the end of the morning session while people
18 are still here, if they have comments that aren't on
19 the agenda, we take those then so the people who don't
20 go out in the field have a chance to comment?

21 COMMITTEE CHAIR HODGKINS: I think that's a
22 great idea. Okay. So for public comments, we're going
23 to try to take comments related to each of the items
24 that are on the agenda.

25 At the end of our business here in the office,

1 which is supposed to occur around 11, 11:30, we will
2 offer you an opportunity if you want to comment about
3 something that wasn't discussed as part of the agenda
4 and entertain your comments at that time. All right.

5 We do have -- the meeting is being recorded so
6 that there is an official record. So before you speak
7 or ask a question, we need you to identify yourself and
8 who you represent.

9 I was thinking about going around and having
10 people identify yourself and who you represent. Let's
11 try do that very quickly starting in the back row.

12 (Discussion off the record)

13 COMMITTEE CHAIR HODGKINS: We're back on the
14 record now.

15 And in terms of approval of the agenda, there
16 were no comments or questions on the agenda.

17 So we're going to move to Item 3 which is a
18 presentation for the benefit of us of the history of
19 SJAFCFA. So Jim, you want to take over?

20 MR. GIOTTONINI: Before I start, I'd like to
21 thank the Board and all the State employees for coming
22 here and devoting your entire day to go over our flood
23 issues. It's really appreciated. We're hoping this
24 will be the start of a partnership because we have a
25 lot of projects we need to work on.

1 So anyway, we're encouraged that you are here
2 and we're looking forward to future meetings and future
3 projects.

4 This is a brief history of the SJAFCA. It
5 started in basically 1995. FEMA came to town, they
6 were -- they identified basically ten levee breaches.
7 This is areas east of I-5.

8 And they had freeboard deficiencies. We
9 didn't have the required three feet of freeboard
10 between the top of the levee to the 100-year water
11 surface.

12 This is on Bear Creek, Paddy Creek, Mosher,
13 Calaveras River, Diverting Canal, Mormon Slough, Potter
14 Creek A and B. They issued in '95 draft FIRMS, Flood
15 Insurance Rate Maps, would have placed the entire city
16 and the surrounding county area in the floodplain.

17 Now they did not include, and it's kind of
18 important, the RD17 because they had a recent FEMA
19 Letter of Map Revision. It was issued in '92. So they
20 accepted that, and that area was not going to be placed
21 in the floodplain back in '95.

22 This is the deficient levee systems basically.
23 Right there is I-5. So these creeks and channels were
24 basically east and upstream of I-5 at Bear Creek.
25 That's Mosher. This is the Calaveras River which we're

1 going to see today. This is the upper Calaveras River,
2 the Diverting Canal, and then it goes up to Hogan
3 Reservoir.

4 The map on the left, this was what the flood
5 plains looked like in Stockton. This is an industrial
6 area primarily in south Stockton that we're able to
7 still -- we elevate the buildings because it's very
8 shallow flooding.

9 This is what the flood maps looked like before
10 the '95 preliminary maps. This is what would have
11 happened. Basically the entire metro area was going to
12 be placed in the floodplain.

13 So kind of what we did in response, SJAFCA was
14 created. It's a Joint Powers Authority that's between
15 the City of Stockton, the County, and also the County
16 Flood Control.

17 The City and County filed appeals, technical
18 appeals; and then FEMA, through some political
19 persuasion, they agreed to delay the final FIRMS to
20 allow the project to be constructed to fix the
21 freeboard deficiencies.

22 We decided to locally fund the project, to
23 fund the design and construction. There was 74,000
24 parcels, a district that was formed, to fund the
25 \$70 million project.

1 It was basically -- for a home, it was a \$700
2 one-time assessment. And how it was able to be sold
3 was that compared to a \$350 per home basically for
4 annual flood insurance. So it was \$700 one time versus
5 \$350 annually.

6 We also established an operation and
7 maintenance assessment for the upkeep for the
8 improvements once they were finished.

9 We included our project in federal legislation
10 which provides for local agencies to plan, design, and
11 construct flood control projects and then be reimbursed
12 for the federal share upon the project completion.
13 This is basically a 211 project.

14 The State was very quick. Through work of
15 Machado, we got \$12.6 million for the State's share of
16 the project. And then the federal reimbursement is a
17 painful process where we have to go through annual
18 appropriations to a maximum of 35.7 million.

19 This is the assessment district boundary.
20 That right there is the northern limit of Stockton,
21 basically Eight Mile Road. It went all the way up to
22 Highway 12 and all the way south to -- this is the
23 Weston Ranch area right here, and the Lathrop and River
24 Islands project is over here. So it did not include
25 that area.

1 And this is the levees that we raised. There
2 wasn't much on the Calaveras needed to be done. It was
3 just some spot -- we overlaid the street a couple of
4 inches. That's all the freeboard deficiency there was
5 on the Calaveras River.

6 But we had to do flood walls and raise the
7 levees on Bear Creek.

8 Mosher, there's a couple of basins we had to
9 build to store the water. Mosher couldn't take the
10 flows. It would spill over into a depression. This is
11 currently being built as a soccer complex. It's a
12 dual-use facility.

13 The Diverting Canal, we had to improve the
14 Diverting Canal as well as upstream Calaveras River,
15 but not all work on the Calaveras River downstream of
16 the Diverting Canal.

17 It included basically 40 channel miles of
18 levee raising and flood walls. We had to -- because of
19 all the bridges that have to cross these waterways, we
20 had to modify 29 bridges basically to put walls across
21 the bridges to contain the water within the channel.

22 As I mentioned, we had two detention basins
23 and pump stations.

24 In three and a half years, we formed the JPA,
25 we created the assessment district, completed the

1 design and all the environmental that was needed. We
2 acquired all the permits, all the right of way, and
3 built the project. And it was 19 bid packages, and it
4 was completed in November of '98.

5 Then we had the US Army Corps of Engineers.
6 They worked -- they reviewed the plans and also the
7 construction. And so they certified the Bear Creek and
8 Calaveras River systems. These are project levees.

9 And then the Natural Resource Conservation
10 Service provided the certification for Mosher Slough.

11 Then in 2000, we submitted the FEMA
12 certification letters and other required documents to
13 FEMA. And then in '02 FEMA issued the new Flood
14 Insurance Rate Maps, basically removing all the
15 proposed new 100-year floodplain, basically putting it
16 back to what it was before they came into town in '95.

17 So since then, we've administered an annual
18 operation and maintenance assessment where all the
19 property owners are assessed the maintenance of the
20 facilities.

21 And then every year we go to Washington and
22 beg to get our money back. There's \$35.7 million
23 maximum to get back. To date, the Corps has reimbursed
24 SJAFCFA \$22.5 million.

25 Then we had WRDA legislation. There was two

1 streams that were not eligible for reimbursement -- it
2 was the upper Calaveras and lower Mosher Slough --
3 because it was less than 800 cubic feet per second, and
4 the benefit-to-cost ratio needed to be demonstrated.

5 So legislation was passed and WRDA '07 allowed
6 these two projects to be eligible, and that would be at
7 a federal share of about \$5.5 million.

8 Now we need to -- the Corps headquarters has
9 commented on the federal study so there need to be some
10 comments made on that. The local district of the Corps
11 has to comment on the headquarter's comments, and then
12 we need to amend the existing reimbursement agreement
13 to add the 5.5 million to the 35.7 that we're eligible
14 to receive.

15 And that's my part of it. Then we were going
16 to have Steve Winkler with the County Public Works
17 Department talk about the FEMA maps, back in town, and
18 kind of what we're doing locally to deal with it.

19 MR. WINKLER: We could certainly break for
20 questions.

21 COMMITTEE CHAIR HODGKINS: Just quickly,
22 that's actually quite an accomplishment to complete a
23 project that quickly, so I compliment you on that.

24 Question: Who is the Board?

25 MR. GIOTTONINI: The Board is two city council

1 members and two county board members.

2 COMMITTEE CHAIR HODGKINS: They are appointed
3 by? The board of supes as a whole and --

4 MR. GIOTTONINI: And city council -- the mayor
5 actually appoints.

6 COMMITTEE CHAIR HODGKINS: Okay. What happens
7 if there is a tie vote?

8 MR. GIOTTONINI: It doesn't pass. It needs
9 three.

10 COMMITTEE CHAIR HODGKINS: Okay.

11 MR. WINKLER: No action.

12 MR. GIOTTONINI: But it is a Joint Powers
13 Board that was formed. We've never had a vote that has
14 not -- never since -- it's always been four votes.

15 COMMITTEE CHAIR HODGKINS: Okay. Is there any
16 staff?

17 MR. GIOTTONINI: I'm the Executive Director,
18 but I'm also the Public Works Director for the City.
19 I'm budgeted half time to work on a SJAFCA project.

20 Roger Churchill -- Roger, raise your hand.
21 He's recently -- we hired him from the County, a great
22 addition. He's full-time SJAFCA. Juan there has
23 basically been with the project from the beginning and
24 is pretty much full-time now on it. And then Marlo
25 Duncan who is secretary to SJAFCA.

1 In addition, because of the new maps and the
2 new interest, the city council approved adding two new
3 positions, an engineer and an analyst, and so we're
4 going to be going through the recruitment on that.
5 Work is picking up.

6 We were in a -- after '02, we were in a
7 shut-down mode. We were fat and happy, you know. We
8 had done our mission. So our only mission then was to
9 do an annual operation and maintenance assessment, and
10 then to try to get the money out of the federal
11 government. That was the two things we were doing.

12 We also worked on Smith Canal which is a
13 problem you'll probably see today. We thought in the
14 future if FEMA came into town again that would be a
15 suspect channel because there's some erosion along the
16 banks. It's a dead-end slough, basically. So we
17 initiated a project to fix that erosion problem and try
18 to get it done before FEMA came back.

19 COMMITTEE CHAIR HODGKINS: Good for you.

20 MR. GIOTTONINI: So we helped with the -- we
21 funded a local 218 election for one of the districts.
22 There's two districts that maintain Smith Canal.

23 That election was successful by I think a
24 couple of votes. It was -- it squeaked through. So we
25 were moving forward with a project to do erosion

1 protection on Smith Canal in anticipation that FEMA
2 would be back in down.

3 Unfortunately, they came back into town
4 quicker. We thought we'd have a break. So we were not
5 able to do the work. And that is one of the reasons
6 that that area, you'll see on the flood maps, and
7 that's being proposed to be in the floodplain.

8 COMMITTEE CHAIR HODGKINS: Tell me a little
9 bit about the assessment. It was \$700 per home. Was
10 that a one-time payment or --

11 MR. GIOTTONINI: Some people paid cash because
12 they didn't want the assessment. And some -- the
13 majority of people just it's on their tax roll.

14 COMMITTEE CHAIR HODGKINS: Okay. And is the
15 O&M a separate assessment?

16 MR. GIOTTONINI: Yes.

17 COMMITTEE CHAIR HODGKINS: How much revenue
18 does it raise?

19 MR. GIOTTONINI: Raises about what, about
20 700,000 a year roughly for Operation & Maintenance?

21 MR. NEIRA: Yeah, this year. 727,000, but
22 this year. In previous years, it was lower; but since
23 we have to do some additional work, we collected a
24 little bit more this year.

25 MR. GIOTTONINI: We're at the maximum allowed

1 assessment.

2 COMMITTEE CHAIR HODGKINS: So you'd have to do
3 a 218 --

4 MR. GIOTTONINI: To increase it.

5 COMMITTEE CHAIR HODGKINS: Do you have any
6 reserves?

7 MR. GIOTTONINI: Yes. We set aside money.
8 Part of the assessment was to set aside money to
9 replace the improvements. So we have a reserve fund,
10 like the walls that had -- we've got flood walls in
11 some of the channels, so we replaced those. We don't
12 think they have indefinite life. So there is reserves
13 in that.

14 We have currently about, total money
15 available, in the \$13 to \$14 million that SJAFCA has.
16 And we're basically holding it because we were in the
17 mode of reimbursing it back because the project was
18 finished.

19 But as soon as FEMA back -- in April of '06,
20 basically the Board took an action not to do further
21 reimbursements because we thought we'd have future need
22 for those moneys. So we have about a \$13, \$14 million.

23 COMMITTEE CHAIR HODGKINS: Very good. Thank
24 you.

25 MR. WINKLER: Other public questions or

1 comments on what you heard so far?

2 MR. ESTRADA: I'd like to know how much of
3 that money you have set aside, the thirteen, fourteen
4 million, how much do you owe in terms of
5 reimbursements, people that paid and haven't been
6 reimbursed?

7 MR. GIOTTONINI: Well, the bulk of it was to
8 go back to the people that were assessed, so it would
9 be all of it.

10 MR. ESTRADA: We received some reimbursements,
11 two checks. I'm one who paid \$800, not \$700. And I
12 got a check for \$200 and I got a check for \$100. So
13 there's still about four or five hundred dollars still
14 owed, and that's what I'm saying. How much of that
15 money hasn't been paid back?

16 MR. GIOTTONINI: All of it. The 14 million,
17 or 13 or 14 million, we have not reimbursed. The plan
18 was to reimburse it all because our project was
19 finished. We had done what we needed to do which was
20 to restore the floodplains.

21 So that project was completed. In '02, it was
22 certified by FEMA. We were in a mode as soon as we got
23 the money back from the federal government, we did a
24 once-a-year reimbursement. Reimbursement to the people
25 who paid cash, and reduced the assessment on the people

1 who have it on their property tax.

2 We were doing that yearly until basically '06
3 when FEMA said we're back. So we said whoops. We
4 better not let this money out because we're going to
5 need it, we think, for future projects. And that's
6 proved true, so.

7 MR. ESTRADA: And the fourteen million is the
8 reserve to reimburse the people that paid their money
9 up front?

10 MR. GIOTTONINI: Or to fix any particular
11 flood problems that we still are dealing with. That's
12 why the Board has taken an action not to refund it.

13 MR. ESTRADA: Okay.

14 MR. WINKLER: Good morning. I'm Steve
15 Winkler, Deputy Director of Public Works for San
16 Joaquin County, and we also serve as the operating arm
17 of the San Joaquin County Flood Control and Water
18 Conservation District which is typically the partner on
19 the local federal project levees for operation and
20 maintenance locally in the greater Stockton area and
21 east county.

22 We welcome you also, and thank you for taking
23 time out of your busy schedules. And we appreciate the
24 opportunity for local Stockton residents to have some
25 input both to our processes as well as the Reclamation

1 Board operating under its new name, Central Valley
2 Flood Protection Board.

3 We've been advocating for a subcommittee
4 similar to several others that you operate north of us
5 because some of the challenges we think are unique to
6 our area.

7 So we're very pleased this is our kick-off
8 meeting. While we're not doing a lot of formal board
9 action business, it is an opportunity to kind of create
10 a base layer of knowledge about our local issues.

11 Obviously, these pictures, two out of the
12 three within the last 11 years, have occurred in San
13 Joaquin County. This is exactly what we're trying to
14 avoid. With urban areas being concerned, obviously
15 Katrina in New Orleans and Mississippi were of major
16 concern in the collective memory of our nation, and I
17 think our job as flood protection professionals and as
18 the Reclamation Board, one of our major missions is to
19 assure that we don't have these types of tragedies in
20 our communities.

21 San Joaquin County -- I heard a fact that I
22 haven't been able to verify, but I was at a flood
23 conference last week, and I heard it stated that the
24 Central Valley of California has collective levee
25 miles, more levee miles in the Central Valley,

1 Sacramento/Central Valley California have more levee
2 miles collectively than the entire rest of the nation
3 combined in terms of providing 100-year flood
4 protection.

5 And I found that very interesting, the second
6 largest state being back east along the Mississippi,
7 and many of our levees -- maybe -- probably a more
8 correct factoid would be that total levees, rural and
9 urban protected, because I don't think we probably rank
10 quite that high on 100-year protected levees. So I've
11 been trying to check that fact, came from a speaker
12 from back east.

13 Obviously the Central Valley in California is
14 very important. San Joaquin County, having a third of
15 the legal Delta with within our jurisdiction, we
16 actually almost have approximately two-thirds of the
17 state levee miles from the Central Valley from the
18 perspective of statewide levee protection.

19 More than the levees, we're protecting half a
20 million residents, mostly in urban areas. But those
21 levees are also protecting a major economic driver for
22 the state. Agriculture is the number one economic
23 interest in San Joaquin County and is of statewide
24 importance and national importance as far as flood
25 production, dairy products and things.

1 Beyond that, there is key major statewide and
2 national infrastructure that are protected by those
3 levees including the third largest port in California,
4 water conveyances services for two-thirds of the state
5 and 33 million people to the south of us, as well as
6 agricultural needs.

7 A third of the gas in the state is stored out
8 in the Delta in depleted gas fields that are now
9 storage fields. So a major energy issue as well as the
10 electric transmission grid flowing east and west and
11 north and south through the Central Valley, all of them
12 lying in flood-prone areas.

13 So we cannot afford to ignore the threats to
14 our residents, to our local economy, and certainly to
15 the state and national economic factors.

16 The question has been floated: Is the Delta
17 sustainable? And our local opinion is absolutely with
18 the right investment and resources. And the question
19 is: Can we afford not to sustain the Delta?

20 The issues are coming at us in what we're
21 calling the perfect storm, and that storm has multiple
22 waves and we're in the midst of the first wave.

23 New inspection standards following Katrina at
24 both DWR level as well as the Corps of Engineers at the
25 federal level. FEMA has obviously undertaken what was

1 just to be a digital map upgrade, take the paper maps
2 and make them available on the Internet with zoom
3 capability and address finding capability. Those are
4 great goals. I think those would be a major help to
5 the public.

6 But that suddenly changed in emphasis, and as
7 part of that we need to take a close look at the
8 integrity of the levee systems that we're accrediting
9 as providing 100-year protection and rightly so. We
10 cannot continue to have major levee failures in urban
11 areas. As part of that, FEMA is looking at the
12 100-year flood protection.

13 But last year, the state legislature passed
14 SB 5 along with a package of six other flood bills
15 which created in Central Valley, and only in the
16 Central Valley, a 200-year protected requirement for
17 development beyond the year 2012; and plans need to be
18 in place to show how we're going to get to that in an
19 achievable manner by the year 2023. So those issues
20 have all sort of hit the shore already.

21 The second wave we're just beginning to see
22 come to shore is DWR, some of the mandates in AB 5 and
23 SB 5 and some of the bond measures that were passed a
24 couple years ago, Prop 1E and Prop 84, are undertaking
25 an extensive effort to reevaluate urban and nonurban

1 levees that provide protection for our communities.

2 And meanwhile, we're expecting early next
3 year, possibly in April, that the new FEMA maps for San
4 Joaquin County will become effective.

5 Later in '09, we have to begin to have final
6 and full formal accreditation of the provisionally
7 accredited levees as part of the new mapping process.
8 We'll talk a little bit more about that in a couple
9 slides.

10 And meanwhile we're waiting anxiously to hear
11 what some of the national symposiums that are looking
12 at new levee stability standards, underseepage,
13 through-seepage, vegetation.

14 And we fully expect that there will be
15 adoption ultimately of new standards. In the
16 post-Katrina and post-Paterno lawsuit world that we
17 live in, we expect there will be additional standards
18 adopted and formally implemented. We don't know what
19 those are yet, but we expect that by the end of '09
20 we'll have some inkling.

21 Then beyond 2010, we know that DWR is also
22 studying major hydraulic and hydrology analysis,
23 remapping and revisiting the State Plan of Flood
24 Control for the Central Valley.

25 Climate change has been mandated to be

1 considered; and again, they'll be mapping in the
2 short-term under existing hydrology, new 200-year flood
3 protection boundary maps as well as developing new
4 hydraulics and hydrology to refine and perhaps remap
5 what those areas will look like in the future after we
6 start considering climate change.

7 Here's some of our hard dates, hard dates
8 meaning these are the target dates FEMA is attempting
9 to hit. They did on January 15th behind us release
10 their first preliminary map just a week and a half ago.

11 We got new, updated preliminary maps, and I
12 apologize in advance. A couple of the following maps
13 you're about to see are based on the January 15th
14 release and we haven't had an opportunity to update our
15 graphics in the last week since we got the new maps.
16 But we will talk about what the changes are.

17 We are anticipating in October of this year
18 that we will get a Letter of Final Determination
19 announcing the final boundaries for the new proposed
20 special flood hazard areas, or 100-year floodplains and
21 that the new Flood Insurance Rate Maps, digital maps,
22 will become effective six months later in April of
23 2009.

24 As mentioned earlier, we do have that
25 August 23rd deadline on our original project levees

1 that receive provisional accreditation later this
2 year -- I'm sorry -- a year from August in 2009.

3 And that's a major issue, that last bullet.
4 Our short-term issue is these FEMA maps; but within
5 about 15 months, we've got another major issue
6 challenging us with reaccreditation or full
7 accreditation of provisionally accredited letters.

8 This is sort of an excerpt, an executive
9 summary, of what the FEMA preliminary maps show, sort
10 of what on this slide appears to be gray areas are
11 existing floodplains that have been on the FEMA maps
12 virtually since they were introduced back in the mid
13 '70s.

14 There have been updates along the way with new
15 maps, but essentially the primary Delta to the west of
16 the San Joaquin River channel has historically been
17 floodplain. Areas up in Thornton have historically had
18 some floodplain issues. Some of the fingers running up
19 Little Johns Creek, Duck Creek, and up along the
20 Diverting Canal have historically been floodplains,
21 mainly residual floodplains, for water that was
22 overland flow outside of many of the contained
23 channels.

24 Is there a question?

25 EXECUTIVE OFFICER PUNIA: No. I think our

1 Board Member Rose Marie is here.

2 (Whereupon, Board Member Burroughs
3 joined the proceedings.)

4 MR. WINKLER: Oh, welcome. Please come in,
5 Rose Marie. Glad you could join us.

6 The dark blue areas on this map are as of the
7 preliminary map released in January and have not been
8 updated to reflect some minor changes on the new
9 revised preliminary maps we just received.

10 But the dark blue areas in general are the
11 newly proposed special flood hazard or 100-year
12 floodplains that FEMA anticipates will be become part.

13 Now part of the process is local communities,
14 reclamation districts, flood protection agencies, have
15 an opportunity to look at these and provide additional
16 technical data during the preliminary review period to
17 modify those.

18 When we first started talking to FEMA
19 approximately a year ago when we first got a glimpse of
20 areas of concern relative to the levee protection,
21 virtually all of the greater central Stockton area and
22 much of the areas to the south and to the north were
23 showing as potential concern areas.

24 Through diligent effort on the part of the
25 local reclamation districts and public agencies, a lot

1 of information has been furnished to FEMA, updated
2 information that perhaps their contractors did not
3 have, and we've been able to limit it to these current
4 dark blue areas.

5 The yellow areas are provisionally protected
6 areas, meaning areas that are protected by various
7 levees that are not being fully accredited but have a
8 couple of years to become formally and fully
9 accredited. Otherwise, they too will become dark blue,
10 and that will be very dramatic in both the greater
11 Stockton area, but as well as West Stockton -- I'm
12 sorry, west Lathrop and southwest Manteca city limits
13 are also involved.

14 This large lower yellow area approximates the
15 Reclamation District 17, which is a very large
16 Reclamation District that's now charged with providing
17 urban protection to three cities and unincorporated San
18 Joaquin County. You'll hear more about that later.

19 Next slide.

20 Just to zoom in a little bit, we've got a
21 maintenance deficiency west of I-5 on the south bank of
22 Bear Creek that is primarily urban encroachments.

23 There were some vegetation concerns and rodent
24 concerns on the Bear Creek system. Those have been
25 largely corrected to, we hope, the State and Corps of

1 Engineers' satisfaction.

2 And what remains are some very challenging and
3 difficult private property issues from eight properties
4 west of I-5 that are causing the Twin Creeks
5 subdivision to be proposed as a placement into a
6 special flood hazard area that would be affected.

7 We're working closely with the Reclamation
8 Board staff -- and forgive me if I use your old title;
9 it's a lot easier to say. The Board, call it that.
10 The Board staff and both DWR and Corps of Engineers
11 inspection and permitting groups to try to clarify.
12 There are existing permits that have been issued by the
13 Reclamation Board historically, and so now we have an
14 issue where the Corps has not accepted some of the
15 permits that have been issued as being acceptable in
16 today's regulatory climate and working with that.

17 Also in addition to the flood hazard area,
18 it's challenging the formal eligibility for federal
19 flood rehabilitation assistance in the event of a
20 future storm event and flood damage.

21 The Corps would still help us flood fight, but
22 they would not necessarily repair or restore the
23 federal flood project during that period of
24 ineligibility.

25 We've asked for a time extension through Rec

1 Board staff to the Corps. That is sitting at division
2 and is on its way, we hope, to headquarters with the
3 Corps of Engineers. But we do have several hundred
4 homes that are affected as well as eligibility for
5 future federal funding.

6 COMMITTEE MEMBER BURROUGHS: How much
7 extension did you ask for? What time line do you need?

8 MR. WINKLER: The requested extension was
9 through December of '08. We understand we're getting
10 some preliminary verbal feedback last week from
11 division staff that they might be coming back to the
12 local Sacramento district of the Corps and suggesting
13 that be sped up to be perhaps the October or November
14 time frame to avoid the upcoming flood season or
15 overlap in the flood season.

16 That's going to be challenging for the staff
17 at the Reclamation Board and DWR and Corps to meet
18 those time frames, so we're not sure how that's going
19 to happen.

20 But we've requested -- frankly at the county
21 level, we'd like some time to deal with those private
22 property issues. As it is, the local agency in the
23 current time line is only going to get 30 days. It's
24 taken a year and a half to get the state and federal
25 agencies aligned to identify what the actual critical

1 problems are, but we're going to get 30 days under the
2 current proposed time line to correct those so it's
3 going to be very difficult.

4 COMMITTEE MEMBER BURROUGHS: I don't know if
5 anyone is here from the Corps, but as part of our
6 Roundtable work, it sounded like the Corps would accept
7 an extension if you show a plan of accomplishing the
8 improvements that are necessary.

9 MR. WINKLER: Submitted with the time
10 extension request was a corrective action plan with
11 dated milestones.

12 COMMITTEE MEMBER BURROUGHS: Okay. Good.

13 MR. WINKLER: But those all show being done by
14 December of '08, and we're here going on June in a day
15 or so, and we're still putting together data to present
16 to the Corps.

17 COMMITTEE MEMBER BURROUGHS: Good. Thanks.

18 MR. WINKLER: I do have copies, if the Board
19 is interested -- and I don't know, Jay. They were
20 previously furnished copies of the formal time
21 extension request with backup documentation.

22 We would welcome the Board to be able to
23 review that because we think it has some critical data
24 that is of major importance to our local community. So
25 if you're interested in that, I do have copies of what

1 was submitted.

2 COMMITTEE MEMBER BURROUGHS: Great.

3 MR. WINKLER: The next major levee deficiency
4 affecting a large urban area is in Stockton. This is
5 the Calaveras River, lower Calaveras, we call it,
6 downstream from the Diverting Canal which was a Corps
7 project to intercept the Mormon Slough project, off the
8 map, intercepted much of the water off of upper
9 Calaveras River through the Mormon Slough project and
10 Duck Creek diversion projects, took water to the south
11 into the Mormon Slough, and the Diverting Canal brings
12 it back in to the lower Calaveras which was then
13 improved through urban Stockton areas back in the mid
14 '60s was the latest improvement, as I recollect.

15 Jim, feel free to correct my history; you've
16 been around longer than I have.

17 The problem and area of concern is west of
18 I-5, again, on the south bank only. Primary remaining
19 concern is, again, urban encroachments, private
20 property, landscaping, fences, outbuildings, docks,
21 steps, terraces, many of which preexisted the Corps
22 project in the '60s. The homes were already built.

23 Many of the fences preexisted the project.
24 Mentioned the vegetation preexisted the project. In
25 fact, in the Corps O&M manuals, vague references to

1 existing fences and existing vegetation are allowed to
2 remain provided they meet certain requirements. But
3 we're having difficulty getting a list of which fences
4 are okay and which ones are not as part of this
5 clarification and cleanup of the maintenance
6 deficiencies.

7 This maintenance deficiency is triggering a
8 large proposed special flood hazard area. This upper
9 area that is cross-hatched, we did get this slide
10 updated.

11 We were able to convince FEMA and the Corps
12 that the controlling elevation would be west of I-5,
13 based on the maintenance deficiencies; and even though
14 the Corps looks at the entire segment as a continuous
15 flood project segment, they agreed and endorsed our
16 hydraulic analysis that if the levee deficiency of
17 concern is down here, and you broke at the highest
18 point on the flood profile, that the footprint would
19 look more like something in this range.

20 And this area here is actually changed on the
21 new preliminaries we received. The line looks
22 something like this now, this general area, but they
23 did remove this upper area from the proposed flood
24 hazard area.

25 The area is also affected by a second

1 deficiency. That's the Smith Canal. And Jim
2 Giottonini spoke to those earlier.

3 We have some large, overbuilt, historic levees
4 that weren't -- probably approximately a hundred years
5 old, order of magnitude -- weren't built necessarily to
6 engineered standards. Bottom was probably dredged up
7 fill from this dredge cut that was done.

8 It's a backwater, tidally influenced, probably
9 back in the good old days used for agricultural barge
10 access to get farm products out of the area.

11 Meanwhile, Stockton grew over the century that
12 surpassed those levee constructions, and we have
13 existing levees that had historically been recognized
14 as being high enough and wide enough to meet 100-year
15 protection standards, but we don't have any technical
16 data to demonstrate that they meet these current FEMA
17 standards.

18 So they are proposed for disaccreditation in
19 that -- lacking that data, the local reclamation
20 districts can't certify that they believe that they
21 meet the standards and have a substantial amount of the
22 documentation in hand.

23 We are looking at that. And we'll talk a
24 little later about some of the local flood protection
25 projections. But one of the options that's being

1 explored is possibly a floodgate to deal with a
2 100-year source of water, which is the primary Delta
3 and San Joaquin River, put a floodgate and closer
4 structure at the mouth of the Smith Canal and then
5 assure that proper maintenance for low water events is
6 taken care of up the Smith Canal, possibly be able to
7 eliminate the need to certify those levees for 100-year
8 protection.

9 They'd still need to be there for flood
10 protection and low water events.

11 Another area being affected is southwest
12 Stockton. This is actually the Port of Stockton in
13 this general area here. Rough and Ready Island is
14 here.

15 We have an industrial port and Boggs Tract
16 area here. And we have residential communities here
17 and in areas to the south. This is I-5 corridor
18 running up here, so we're primarily west of I-5. But
19 RD 404 does take in some area to the east. They're
20 part of a historical floodplain.

21 There were again some minor maintenance
22 deficiencies based on Corps inspection standards back
23 four or five years old when those inspections were
24 done.

25 And the -- our understanding is that the local

1 reclamation district has corrected those and been
2 reinspected. I think they're waiting for written
3 confirmation of that at last check, but the Corps
4 inspection has given them a clean bill of health on
5 these levee inspections.

6 Unfortunately, the new preliminary maps are
7 still reflecting an unchanged floodplain in part
8 because we're waiting on the written confirmation.

9 But also in part, not within RD 404, is a wing
10 levee, part of the Duck Creek federal project. There's
11 a wing levee on the old Homestead Canal that is
12 actually part of the county's maintenance
13 responsibilities as the federal Duck Creek project that
14 will need to get a provisional accreditation.

15 And we're in fact processing that paperwork as
16 we speak. It was a bit of an oversight. We thought it
17 was part of the RD 404 PAL, but it is a separate
18 segment and a separate PAL.

19 And we hope that will be both submitted and
20 granted by FEMA, in which case this would turn yellow
21 on our previous map as a provisionally corrected --
22 protected area, I should say.

23 We also have a large area in northwest Lodi,
24 Woodbridge. And then a large swath flowing west, as
25 the general topography does in that area.

1 This is the Mokelumne River, north of Lodi.

2 This is the city limit for Lodi. And Lodi Lake is
3 right in here, if you know the area. Then the
4 unincorporated community of Woodbridge is here.

5 Then this is primarily agricultural and rural
6 area to the west, and things tend to sheet flow away
7 from the river to the west, very flat area with a
8 gradual flow.

9 As you can see up in the Thornton area, this
10 is the community of Thornton, had an existing
11 floodplain historically. This would -- is proposed to
12 expand that existing contiguous floodplain.

13 It's basically caused by, there are four levee
14 segments. It's a little hard to read on this map. Two
15 within the City of Lodi jurisdiction, and three more
16 segments -- it was actually five. Three more segments
17 in the unincorporated area.

18 There are historic pre-Comanche, pre-Pardee
19 levees that are no longer seen as being actually acting
20 as levees. The amount of dirt is still there. It was
21 never removed. Has not been actively maintained by any
22 maintaining agency in that the Comanche flood control
23 project essentially limited the flood flows downstream.

24 Unfortunately, FEMA looked at those as still
25 being levees. We're in the process -- Lodi has

1 provided some initial survey data and done some minor
2 sliver fills around Lodi Lake and gotten a FEMA
3 concurrence.

4 So this -- in the new preliminaries, following
5 the city limit line and the area south, this little
6 blip in northwest Lodi has been proposed for removal on
7 the new maps that just were released.

8 We are working on submitting additional
9 similar detailed survey data for the Woodbridge
10 community. It appears, looking at the data, that local
11 engineers and floodplain managers, that a bulk of the
12 community of Woodbridge should be removed from the
13 proposed preliminary floodplain on the final maps, and
14 we're working to have that determination before the
15 letter of final determination in October.

16 I will say it's conceivable that the slivers
17 of northwest Woodbridge area and the areas to the west
18 are likely to remain in the proposed special flood
19 hazard area.

20 So what are we doing about all this?
21 Obviously, the primary short-term goal that has had our
22 various reclamation districts and local agencies
23 scrambling diligently is to deal with the 100-year
24 proposed floodplains, to initiate corrective action,
25 additional survey data, archive information to FEMA to

1 try to minimize the impact, and where we could not
2 mitigate the impact of the floodplains, to then work on
3 a priority early implementation approach to
4 reestablishing 100-year flood protection such as
5 feasibility studies underway for the Smith Canal
6 closure structure floodgate as well as several other
7 local initiatives.

8 With SB 5 adopted last year, we now know that
9 200-year requirements for a plan to be developed by
10 2012 are an important aspect, and we're initiating a
11 feasibility study with the Corps of Engineers and local
12 agencies along with the Reclamation Board has already
13 endorsed being the nonfederal sponsor for the state for
14 that feasibility study, so we appreciate that
15 participation by the Central Valley Flood Protection
16 Board.

17 SJAFCA, which is our San Joaquin Area Flood
18 Control Agency, is taking a lead in the sort of
19 Stockton metro area north of French Camp Slough to work
20 on the flood protection initiative short-term and
21 long-term.

22 And to the south, the urban areas, the primary
23 agency is Reclamation District 17. They're working on
24 some of the underseepage and through-seepage concerns
25 that may exist for those levees. And those studies are

1 underway, and we're working on how to come up with
2 local share finance.

3 We are also undertaking initial efforts at
4 staff level to -- there are several general plan
5 updates pending for the county and several of the
6 cities that are affected.

7 Some of the general plan processes are already
8 underway for City of Stockton and I believe Lathrop.

9 We know that building code updates and new
10 development standards need to be part of our
11 futurethink of how to be smarter in areas that are
12 prone to flooding or levee-protected areas, how to
13 assure that our citizens remain safe, and how to assure
14 that we don't build right up against levees with these
15 moving-target hydrology standards, moving-target
16 seismic stability, underseepage where we may need
17 additional easement room to go taller, wider, or
18 stronger to protect our communities in the future.

19 So those are some of the things that we're
20 having there. We have a flood protection technical
21 advisory committee that meets biweekly and has for a
22 year and a half now.

23 We fill a room just about this size regularly
24 every two weeks with reclamation district
25 representatives, development interests, farm bureau is

1 a regular member, ag interests, along with SJAFCA and
2 San Joaquin County with the cities affected by these
3 concerns.

4 So there's a lot of local interest. We're
5 trying to act in unity with a sort of speak-one-voice,
6 common-good approach to issues, develop some models
7 that could be used by the communities to help address
8 these challenges, certainly in the regional planning
9 processes.

10 So we're trying to take proactive steps
11 locally to become more active. I know there is, in
12 some circles, the perception that they don't get it
13 down there in San Joaquin County, Lathrop, and other
14 communities with some of their development.

15 Well, I think we do and we're working hard to
16 change that image. We believe it's a false perception,
17 but perception sometimes is reality, and we're working
18 to develop some different perceptions of our community.

19 With that, we would entertain questions.

20 COMMITTEE CHAIR HODGKINS: For my benefit,
21 could you go back to the map --

22 MR. WINKLER: Just one more slide. I kept the
23 map right behind there if we need it.

24 COMMITTEE CHAIR HODGKINS: Okay.

25 Now, I understand in coming down here that we

1 have areas where encroachment permits are
2 potentially -- the issue of encroachments is causing
3 the area to be mapped into the floodplain.

4 Can you help me on this map -- yeah.

5 MR. WINKLER: This is the Twin Creeks that we
6 had the blow-up of. And I believe in your packets we
7 have a full-sized set of the slides that you can take
8 with you for the Board.

9 So Twin Creeks is this little several hundred
10 homes affected there. This large area here has a
11 combination of urban encroachment obstructions; and
12 that is one stop on our tour is down here west of '05
13 on Calaveras to look at the types of things driving
14 that issue.

15 We have to correct both the urban
16 encroachments to maintain eligibility for this federal
17 project on the lower Calaveras as well as remove this
18 area from the floodplain as well as deal with the Smith
19 Canal problem.

20 It's a common floodplain caused by both of
21 those factors.

22 COMMITTEE CHAIR HODGKINS: Is there any
23 difference?

24 MR. WINKLER: The difference is we believe
25 that we can probably in fairly quick order prior to

1 issuance of the final maps, we hope, correct the
2 maintenance deficiencies before the maps go final in
3 April of '09. That's our hope.

4 And so that certainly, some of the fringe
5 areas, you would actually reduce the footprint because
6 the flood elevation from this source at I-5 is higher
7 than the Delta pool elevation for Smith Canal.

8 COMMITTEE CHAIR HODGKINS: Okay.

9 MR. WINKLER: So we could mitigate the -- a
10 large -- a portion of the eastern boundary if we can
11 lower the flood elevation because it's a very flat area
12 of Stockton.

13 That would move the line considerably to the
14 west, so that's a short-term goal, and then not have
15 that challenge.

16 Let's say we do get a fast track, three,
17 four-year implementation project on Smith Canal, we
18 don't want to then still have it be in the floodplain
19 because of this encroachment concern.

20 COMMITTEE CHAIR HODGKINS: Very helpful, thank
21 you.

22 I guess the other question would be: Is there
23 any thought to having RD17 become a member of SJAFCA so
24 that there is one agency with the Board that is trying
25 to work together in solving flood issues here?

1 MR. GIOTTONINI: I can speak for the Board. I
2 think we'd be agreeable to that. I think somebody from
3 maybe RD17, whether it's Dante or Chris, could speak to
4 their concerns.

5 I think there may be a time issue. They need
6 to, I think, move very quickly. They've got a clock
7 ticking on their PAL, and so -- it would have taken
8 some time to amend our JPA to add additional members,
9 include Lathrop and Manteca, for example. That would
10 have taken some time.

11 Maybe they can speak to kind of why they're
12 going independent. They are working with cities of
13 Lathrop, Manteca and also Stockton on an election
14 that's going to be coming forward in July or so.

15 I think they want to move quickly and thought
16 they maybe were concerned if they tried to change the
17 SJAFCA, that could take some time.

18 MR. WINKLER: I should point out the dark red
19 border that's on this map is the SJAFCA improvement
20 district boundary, and it does stop here to the south,
21 and this is more or less Reclamation District 17, this
22 provisional.

23 MR. NOMELLINI: Dante Nomellini. I happen to
24 be the assistant secretary now, but I have been counsel
25 to RD17.

1 RD17 has been eager to join a total community
2 effort. We had some immediate problems out there that
3 were identified in Department of Water Resources letter
4 that kind of came out of the blue criticizing
5 underseepage concern in the district.

6 And the district is attempting to address
7 those on an immediate basis. We'd like to actually
8 start work this summer on addressing the underseepage
9 concern.

10 We have joined with SJAFCA on the overall
11 feasibility study for the ultimate urban protection
12 project. So we joined in that process. And we will
13 look at, and our board is willing to jump into a total
14 board reorganized, one entity, for the urban community
15 setting. There's no resistance on our board.

16 In order to move forward with this immediate
17 project we want to carry out, we're going to go through
18 an assessment ballot proceeding set for July 23rd on
19 that. Assuming that's successful, we would then be
20 able to move forward with the work schedule that we'd
21 like to start this summer.

22 We have to work with you people to figure out
23 what would be permitted and not and also with the
24 Corps.

25 But in any event, bond counsel has suggested

1 to us that we not work with the current JPA, SJAFCA.
2 So we intend to form a separate JPA solely to fund --
3 sell bonds -- fund the work we want to carry out on the
4 short-term.

5 COMMITTEE CHAIR HODGKINS: Okay.

6 MR. NOMELLINI: So don't get the impression
7 that RD17 isn't willing to become part of an overall
8 effort.

9 There are other some other problems, of
10 course. How do you finance? SJAFCA has some residual
11 money in it. Should we change the structure? You
12 know, pick up and have that sell bond funds just to
13 fund RD17.

14 So anyway, it was technical advice we got that
15 suggested we do a separate one for the short-term.

16 COMMITTEE CHAIR HODGKINS: Also I think you
17 might create confusion with your voters if you were
18 talking with SJAFCA at the same time you're trying to
19 do your --

20 MR. NOMELLINI: What we're doing, the district
21 of course doesn't have the funding even to do the
22 preliminary work with our given budget.

23 We've asked the cities, Lathrop, Stockton,
24 Manteca, and the county to loan funds to RD17 to
25 facilitate the process.

1 There's about \$800 million of expense that has
2 to go on before we would get money back from a
3 successful assessment ballot proceeding, and that
4 doesn't turn into money until it gets collected on the
5 tax bill, so.

6 We have had some affirmative responses. I'm
7 waiting for John Mines from the City of Stockton.
8 We're enthusiastic to have them join this.

9 Then we will ask all of them to join the JPA
10 to do the bond funds for the short-term project. It's
11 more cohesive than it may appear on the map.

12 COMMITTEE CHAIR HODGKINS: Very good. Also,
13 we had some Corps representatives join us that I want
14 to have identify yourself, please.

15 MR. ROTE: Sure. I'm Russ Rote with US Army
16 Corps of Engineers. I'm the program manager for all
17 Delta projects for the Corps and the project manager
18 specifically for the lower San Joaquin feasibility
19 study.

20 Unfortunately, I'm not the expert on
21 vegetation on levees or certification, so -- I can get
22 you the right contact. I just want to say that up
23 front.

24 (Laughter)

25 COMMITTEE CHAIR HODGKINS: Now, is there

1 anybody in the audience who wants to offer additional
2 information or ask questions about what we've heard so
3 far. Sir?

4 MR. ESTRADA: My name is Rosario Estrada.
5 Would you put that city of Stockton map with the Smith
6 Canal back on there?

7 MR. WINKLER: Toggle through, Roger. Get you
8 there quicker.

9 MR. ESTRADA: The area it says levees, Smith
10 Canal. That was built according to the last
11 presentation went to 1912, which is about a hundred
12 years ago. And what all these experts are saying, when
13 it was built there was no standards. Just put dirt on
14 the levee and became something to hold water back.

15 So for almost a hundred years, or over a
16 hundred years, people have lived there around Smith
17 Canal, and it's never flooded. That's 100-year for us.
18 I know perfect storms and calculations, something could
19 happen, you know, an actuary chart, at any time.

20 And that district, I think it's 1812, is also
21 within the flood protection district they formed in
22 1995. But that was not included in any of the work.

23 So I'm one of the homeowners. They said if
24 you pay this money now, you don't have to pay every
25 year. I paid in advance. I paid for flood protection.

1 Not levee improvements in east Stockton east of 99, not
2 for Katrina-type little ramp they put on Calaveras
3 River, concrete, to keep the flood from going over.

4 I paid for flood protection.

5 Now, at the last meeting, we're finding out
6 that the \$70 million that was spent less the 14 million
7 in reserves was spent for improvements. But not
8 necessarily flood improvements for where we live.
9 There's 5,000 residents there that are going to be
10 affected.

11 Unlike Reclamation District 17, they don't
12 have 5,000 or 6,000 residents. They're going to have
13 to pay \$1,200 a year, \$100 a month, starting next
14 year -- or next year 300 if you sign up early, but
15 \$1,200, \$100 more a month, for flood protection because
16 that levee or that canal is a possible flood.

17 And let's get real about it: We're talking
18 about insurance, not improvements.

19 So what I'd like to see, of course, is
20 something done immediately. We have March coming up
21 2009 we've got to pay \$300 to join this little gamble,
22 flood gamble, then a year later got to pay 1200. And
23 if you don't pay, it's going to be \$2,400.

24 So for an urban area -- this is no farm land
25 there. Those are all houses, I'm concerned. I'd like

1 to see your agency kind of bring some clarity to this.
2 When I talked to the FEMA people at the last meeting,
3 they said the county or the flood control district had
4 not submitted any concrete plans for improvements.

5 They're talking about it, but nothing
6 submitted.

7 And Sacramento, in Natomas, they submitted a
8 plan, and that plan was accepted, and those maps were
9 suspended. I'd like to see something better than that
10 in Stockton.

11 COMMITTEE CHAIR HODGKINS: Incidentally, I
12 live in Natomas. And the maps, while we got them
13 suspended one time, they're coming back.

14 We're in the same situation as Stockton is in.
15 So you understand why -- I mean, fundamentally, I think
16 the biggest reason of all is that most of the levees in
17 the system, like this levee, at least a significant
18 portion of the levee was built for agricultural
19 purposes not to engineering standards.

20 And it is becoming more and more apparent, and
21 now there is a lot more focus on the issue of urban
22 areas behind what are really agricultural levees and a
23 desire to make sure those levees meet modern
24 engineering standards which didn't exist when they were
25 built before we tell people that those levees are

1 providing you flood protection.

2 And you, like much of the rest of the Central
3 Valley, are being caught up in what really is an
4 upgrading of the standards that apply to how these
5 levees should be built. That is being -- coming top
6 down from the federal government.

7 And I will tell you that from my standpoint I
8 think they're appropriate changes. It's kind of
9 unfortunate that it's being done in a manner where
10 people are going to get caught up in having to pay
11 flood insurance when it's very clear that the local
12 agencies and the state are working together to try and
13 get these levees up to standard.

14 But so far, from a political standpoint,
15 nobody's been able to convince those federal agencies
16 that they shouldn't implement those standards.

17 And I would tell you that while -- you know,
18 talk to your congressmen or whoever -- I don't think
19 you're going to change anybody's mind. So our focus
20 here is on getting it done as quickly as we can.

21 And what's I'm hearing these folks say is
22 they're approach to particularly the Smith Canal. They
23 have an idea of what they want to do. Sounds good to
24 me. Rather than try and make these all urban levees,
25 we'll just stop water from backing up in here during a

1 flood. And it sounds doable.

2 Now are we going to look at Smith Canal at
3 all? Today?

4 MR. WINKLER: It's very close to where we're
5 going to be. If there was interest, I'm sure we could
6 add a stop.

7 COMMITTEE CHAIR HODGKINS: It might be
8 interesting to see where you would put this floodgate
9 just to get some sense of what kind of problems that
10 might propose.

11 But -- so for Smith Canal, your local agency
12 is the folks that need to take the lead in developing a
13 plan and coming up with an approach to fix it. Okay.

14 For if encroachment permit, we have to work
15 with your agency to get those taken care of.

16 And for long-term improvements, it appears to
17 me that the approach that your local flood control
18 folks want to follow, and one that's acceptable to the
19 State, is to work through the Corps to do a feasibility
20 study to develop a plan to provide an even higher level
21 of protection in the long run.

22 That's going to take longer, but fitting it
23 all together is part of the challenge in this process.
24 And I think it's a good idea to keep beating on people
25 to move, move, move.

1 Because otherwise priorities get changed by
2 people who are screaming and that's just the nature of
3 the best.

4 MR. ROSARIO: Two things you mentioned. One
5 is maintenance on Calaveras River that was discussed.
6 What about the word eminent domain? They do it for
7 public safety, to widen highways, take the property.

8 If there's encroachment permits that are
9 endangering people, there's really a danger, why can't
10 we do eminent domain on emergency, go in there and say
11 we're taking all this stuff off, we're going to improve
12 the levee.

13 There are things that can be done immediately
14 to say we're getting serious instead of saying well
15 maybe that fence can pass, that can't. Just going to
16 pass something and say nothing on this levee. We're
17 going to make the levee 100-year, 200-year.

18 Incrementally, you're saying trying to protect
19 these few homeowners here and expose to whole urban
20 center of the community to possible changes in the
21 standards. Why don't we just say we're going to go in
22 there and do it right from the start, eminent domain,
23 pay people back for whatever moneys they spend, and fix
24 the levee. Number one.

25 Number two is the issue of Smith Canal.

1 There's two reclamation districts there. They're not
2 part of this SJAFCA, whatever it's called, that 95-year
3 plan. They weren't included.

4 So I paid to have this done. This work wasn't
5 done and isn't being done. So there should be some
6 kind of funding mechanism there with that big district
7 that's getting the benefit of the \$70 million, and
8 we're left holding the bag saying we didn't do your
9 because we didn't know it was included, and we didn't
10 know we had a problem here and you're going to have to
11 pay and the rest of us don't.

12 So not only do you have an equity issue here,
13 a serious equity issue, you have a future market issue.
14 So if this area's in the floodplain, you're going to
15 sell a house there, you got to tell them you're in a
16 floodplain, you've got to pay \$200 a month if you
17 don't -- if it's a foreclosure there, they're going to
18 be paying \$200 a month for flood insurance.

19 COMMITTEE CHAIR HODGKINS: Seems like it's a
20 lot cheaper to pay money to improve the system.

21 And I agree with you -- personally, okay, not
22 speaking for the Board -- I tend to like your approach.
23 You got to go out and get it fixed. Okay. And eminent
24 domain may be the way to do it. I don't know.

25 But part of what the the Board is trying to

1 get a handle on here today is where are we, what do
2 these things look like, and how can we help move it
3 forward? Okay.

4 Our primary focus is on those encroachments
5 and understanding how we're going to get those
6 addressed so that we ensure that the levees are safe
7 and that the flood insurance is either avoided or at
8 least in effect for a minimum period of time.

9 So that's kind of where we are.

10 I can't -- I don't have any power to do
11 anything to make local governments join together in
12 their organization. I think the direction I'm hearing
13 is a good one. I think it's easier for the State to
14 work with fewer local agencies. And -- but we can't
15 make it happen.

16 So I appreciate your comments, but there's
17 nothing we can do really to make them work, join
18 together. That's local government. Okay.

19 Other questions or comments?

20 EXECUTIVE OFFICER PUNIA: Jay Punia. I may
21 just elaborate a little more what Steve was telling
22 where we are on encroachment issues.

23 A little bit of history: The US Army Corps of
24 Engineers, with their renewed interest in operation and
25 maintenance, issued a letter in 2007, early 2007,

1 March 2007, listing maybe 30 districts which are
2 deficient in maintenance standards.

3 Bear River and Calaveras River were among that
4 list. And Corps asked that the local agency should
5 submit a plan to address those deficiencies, and the
6 plan was submitted by the San Joaquin County which was
7 acceptable to the US Army Corps of Engineers.

8 There was also the requirement that the plan
9 should be implemented by March 2008. But these issues
10 are complex property rights, so the plan -- working
11 with the San Joaquin County, that plan was not able to
12 be implemented by March 2008.

13 So the State, working with Steve Winkler,
14 asked the US Army Corps of Engineers to grant us
15 extension through end of this year which I think Steve
16 indicated that the Corps is pushing that it should be
17 done before the flood season, October/November.

18 So collectively, talking with discussion with
19 US Army Corps of Engineers, with Steve, and the State,
20 action plan was developed, and Steve has copies of
21 this, that what action needs to be taken so that we can
22 satisfy this to the Corps' satisfaction by the end of
23 this year.

24 We have sent that request to the US Army Corps
25 of Engineers. Their district office is telling us that

1 they cannot grant us extension. Their headquarters
2 office in Washington, DC has to give us the extension.

3 We are hoping that we will get the extension,
4 but so far that extension hasn't been granted. But in
5 the meantime, working with Steve, we are moving forward
6 so that we can address these encroachments by end of
7 this year so that it's not mapped due to encroachment
8 issues.

9 It's a tall order. There are a lot of issues.
10 Some of the permits were issued which are not
11 acceptable to the US Army Corps of Engineers, so those
12 all things are being sorted out so that we can show to
13 the Corps that we have implemented the plan, and then
14 that this area is not deficient because of the
15 encroachments.

16 MR. GIOTTONINI: Just a couple of comments.

17 One, locally, we don't know which
18 encroachments are offensive to the Corps and to the
19 State. We're supposed to get that list on August the
20 1st.

21 So we couldn't act on anything because we
22 don't know specifically what encroachments need to be
23 removed. Locally, we don't know that yet.

24 On the issue of your flood benefits, because
25 you're in the SJAFCAs district:

1 We improved, like I mentioned earlier, we
2 improved the Calaveras River, did some nominal fill on
3 the levee road to correct the freeboard deficiencies,
4 and we also did improvements on the Diverting Canal.

5 So from the mid '90s until today, or until
6 April of '09, you haven't had to have flood insurance
7 because of that project. If we had not done that
8 project, all the properties within the Smith Canal area
9 would have been in the floodplain back in the mid '90s,
10 so you had that benefit.

11 But unfortunately, you're one of areas that
12 could be placed in the floodplain because they asked --
13 FEMA asked the two local reclamation districts do you
14 have information, can you provide us information that
15 your levees meet our standards, federal standards?
16 Both districts could not say that because they realized
17 they don't.

18 So jointly with the two reclamation
19 districts, SJAFCA is working on a closure device. We
20 funded between the two districts and SJAFCA a study to
21 see a closure device, would that work. And we got that
22 report and we submitted it to FEMA, had some
23 discussions about that.

24 So we think we have a feasible alternative in
25 lieu of reconstructing those levees. It would be very

1 difficult. There's a ton of encroachments on those
2 levees. There are buildings on those levees. There
3 are pools on those levees.

4 So you can't bring them up very cost-effective
5 to FEMA standards without just gutting, you know, a lot
6 of improvements off those levees.

7 We think a feasible alternative is this
8 closure device that we have locally funded, and we're
9 going to be seeking State funding for that
10 implementation.

11 So anyway, hopefully that answers your
12 question. You have had a benefit, the people in Smith
13 Canal, since the mid '90s because you would have been
14 placed in the floodplain back then.

15 And we're trying our best to delay the flood
16 maps with the encroachments, at least trying to
17 minimize the areas that are going to be impacted by
18 removing the encroachment problem on Calaveras River,
19 working with the Corps, and also working with the Rec
20 Board.

21 But then we still have to do something on
22 Smith Canal. And we funded at least the study, and
23 we're going to try to move forward with that. It's
24 probably going to take a property owner assessment and
25 hopefully some State funding to implement that. This

1 could be a \$10 to \$30 million project to put the
2 closure device in. We are actively working on that.

3 MR. WINKLER: If I might add a further
4 comment. We are very sensitive to -- you're making
5 valid points, and they're not lost on us.

6 Certainly, you know, taking property through
7 eminent domain is one of the tools in the tool chest.
8 It's usually one of the last tools you use. You try to
9 work the issues out prior to taking people's private
10 property and having to go to court and spend all the
11 money on lawyers instead of on fixing the problem.

12 So if we do not have cooperation and we cannot
13 get there and there are things that are threatening the
14 unincorporated or the city communities, I'm sure those
15 city councils and board of supervisors would be willing
16 to do the right thing for the community, but you don't
17 start by just saying, well, we're going to take
18 people's private property.

19 So that's the sensitivity. It is complex.
20 Those homes existed before the flood protection project
21 was ever built along the Calaveras River, so we're
22 looking at those issues, trying to be sensitive to both
23 sides of the equation.

24 One other thing as perspective, it doesn't --
25 you can never pay in advance for any and all possible

1 future flood impact mitigations because the -- what
2 about climate change? What about global warming? What
3 about we have a huge major earthquake locally and it
4 destroyed a lot of the nonproject levees?

5 There's no funding -- you can't in advance
6 guess at what that might cost for the next hundred
7 years to provide protection. If you did guess, nobody
8 would be willing to pay because it would be a huge
9 number.

10 So what you do identify is what's going to
11 take to keep that area out of floodplain today -- back
12 in the mid '90s. It was \$70 million.

13 And then we subsequently got some State
14 reimbursement and federal reimbursement through
15 diligent efforts on the part of local agencies, and
16 some reimbursements were done and we saw this next wave
17 beginning to break on the shore, and we said well,
18 let's not refund all the money if we're going to have
19 to turn around and reassess it right back again.

20 That is still a possibility. There may -- the
21 decision may be that we can't raise the approvals
22 necessary to go forward, the SJAFCA board may say give
23 it back to the people who paid for the assessment.

24 But an interesting perspective is had you not
25 paid your \$800 along with your neighbors or agreed to

1 pay it over time through an assessment, you would have
2 already paid over \$10,000 in flood insurance if you
3 have a federal mortgage.

4 So the \$800 has saved you \$10,000 and counting
5 to date. That's just a rough approximation, assuming
6 that it would have been about \$1,000 once you went into
7 the floodplain per year, and it's been about a decade.

8 So it was a good investment. Did it address
9 today's challenge? No, or we wouldn't be here talking.
10 It did address the challenges known in the mid 1990s.

11 Not trying to pacify you, not trying to talk
12 you out of your valid points. I'm just trying to give
13 you some perspective on all we can do is the best we
14 can do. Will fixing Smith Canal to the tune of several
15 million dollars with the floodgate, will that get us
16 200-year protection?

17 We're looking at that. We'll probably be back
18 when we start talking about 200-year protection. It's
19 a matter of how much you're willing to pay today for
20 how much protection in the future, and how good your
21 crystal ball is. Unfortunately, crystal balls aren't
22 real good after a couple years.

23 MR. ESTRADA: One other thing, that gate
24 you're talking about is a floatable gate.

25 My suggestion would be to put some shoring

1 across Smith Canal, put a gate that swings out.
2 Because when we have food season, we know when it's
3 coming, we know when -- it's predictable, know how much
4 water is being released.

5 We can close the gate, water goes up against
6 it, and it passes in eight hours, you open the gate
7 back up, and the water goes back out. It's not a flood
8 deal that stays for 36 hours. Tide comes in and out.
9 That gate should be able to open up and close.

10 And it doesn't have to be a big engineering
11 deal, just shoring with the gate like the farmers use
12 that opens up and lets the water out, closes when the
13 water starts coming in, and the pressure holds the
14 water in.

15 One of the problems is you have to have
16 permits to do some kind of emergency construction.
17 This is where you would come in with a temporary
18 measure and say we could put this up, it's open for the
19 fish, it's open for the boaters.

20 When we have high flood waters, nobody's
21 supposed to be out there in a boat going around the
22 levees, close the gate and we're protected two or three
23 days, six hours, or eight hours. If it ever happens.
24 That would be something temporary to be done.

25 COMMITTEE CHAIR HODGKINS: I appreciate your

1 comments, again. The Board isn't going to try and tell
2 them how to design the project. We don't have the time
3 or the expertise, and they are the experts, so work
4 with them on how they do it.

5 I do want to ask a question here. If the --
6 we're saying we get the Corps to approve our approach,
7 and that extends the Corps' deadline. But has FEMA
8 agreed also that if the Corps agrees to that they have
9 agreed to defer the maps to see if we get it done?

10 I'm trying to understand for sure how we're
11 avoiding the implementation, the requirements for flood
12 insurance, because the Corps doesn't have any.

13 MR. WINKLER: Maybe I can address that best.
14 The Corps cited the maintenance deficiency, and FEMA
15 took that list and said this area is proposed for a new
16 floodplain.

17 If the Corps agrees that they're not actual,
18 real, short-term flood threats, and there's a
19 reasonable plan to correct them in a reasonable period
20 of time to avoid further flood threats in the future,
21 we're willing to continue eligibility to allow that to
22 happen, FEMA has the ability to make a similar finding.
23 It will be FEMA's call.

24 Now the goal and the milestones that are in
25 place are to have it corrected before the maps go

1 final. If that cannot happen, then we would probably
2 be making an appeal to FEMA to give the local
3 communities perhaps a temporary provisional and give us
4 a little more time to make it happen.

5 You know, we are trying not to undermine the
6 argument that we're going to have it done by the end of
7 the year by saying we might need more time to FEMA. We
8 are having some dialogue, but the goal is to get it
9 corrected by the end of 2008 as far as the maintenance
10 deficiency, at least to the level acceptable to the
11 Corps which should be acceptable to FEMA also.

12 EXECUTIVE OFFICER PUNIA: Just to add, FEMA
13 relies upon the Corps' evaluation of the levee
14 maintenance. Once the Corps is satisfied, I'm assuming
15 that FEMA will be satisfied.

16 MR. WINKLER: Federal rehabilitation
17 eligibility is different than FEMA mapping.

18 COMMITTEE CHAIR HODGKINS: That's the point
19 I'm making. And so far, I guess my experience in the
20 past has been just because it's seems reasonable
21 doesn't mean it happens. So you need to understand
22 that.

23 We could crash this work, and you could still
24 end up -- we could get the Corps to approve our
25 schedule, and you could still end up paying flood

1 insurance, but that's neither here nor there.

2 Any other, on the levee maintenance issue, any
3 other questions?

4 Fundamentally, I guess the bottom line is we
5 think we have an approach that's going to let us, if
6 it's accepted by the Corps, perhaps get the work done
7 by the end of the year.

8 Although I heard somebody say 30 days doesn't
9 seem like much time for some of the work you have to
10 do.

11 I think the Board Members will be in a better
12 position to reach their own conclusions on that after
13 we've looked at these things this afternoon.

14 So no more questions?

15 MR. PINEDA: This question is directed to
16 Steve Winkler. Ricardo Pineda, DWR.

17 I just want to clarify. I believe Smith Canal
18 is not a Corps state levee, right? It's a nonproject
19 local levee, so the Corps is really not involved with
20 looking at the maintenance of encroachments and
21 vegetation on that, correct?

22 MR. WINKLER: Smith Canal, that's correct. No
23 Corps.

24 MR. PINEDA: So the solution is a -- whatever
25 you do with it is really between FEMA and the local

1 government agencies that operate that levee. The Corps
2 is not involved.

3 MR. WINKLER: With respect to Smith Canal,
4 other than if we need a 404 permit --

5 MR. PINEDA: That's correct.

6 MR. WINKLER: -- other regulatory, Wildlife,
7 Fish and Game, referral processes.

8 MR. PINEDA: Okay.

9 COMMITTEE CHAIR HODGKINS: Okay. No other
10 questions?

11 We're going to move on to Item 5 which is an
12 update on the Lower San Joaquin River feasibility
13 study. Jim, are you going to lead this?

14 MR. GIOTTONINI: Yeah, it will be fairly
15 brief. I'd like to kind of acknowledge Merritt Rice
16 with the Department of Water Resources. He's been very
17 key on helping us. Merritt, if you could raise your
18 hand.

19 And Russ Rote, he the a project manager on
20 this project. And we are in the midst of negotiating
21 agreements and things that are new to us, so they've
22 been very, very helpful.

23 Basically, we're doing the feasibility study
24 to determine what kind of improvements are needed to
25 continue to meet the 100-year protection standard so we

1 want to get into the feasibility study, and if we have
2 some problems with some of the levees, like Department
3 of Water Resources has drilled the Calaveras River and
4 we may have problems with that, so we want to be able
5 to spin off and do some quick fixes that may come to
6 light while we're in the middle of doing the
7 feasibility study.

8 Then we also want to use this feasibility
9 study to get us to the State-mandated 200-year flood
10 protection, where we need to be in 2025. And of
11 course, it's helpful to get federal and state funding,
12 another reason, it's a big carrot that's handed us in
13 this process.

14 The study area, basically the San Joaquin
15 River from the southern part of San Joaquin County
16 through Stockton and includes all the waterways and
17 watersheds to the east.

18 This is kind of a map showing the San Joaquin,
19 comes through here. This is the primary study area,
20 and I think the next slide shows that. This is the
21 City of Stockton. This is San Joaquin here, Lathrop,
22 Manteca.

23 Paradise Cut's right over here. We're going
24 to be viewing this afternoon. That could possibly be
25 an feasible alternative that's going to be discussed.

1 We're going to be coordinating study
2 activities currently underway by the Department of
3 Water Resources. They're doing geotechnical levee
4 investigation of project and nonproject levees.

5 Surveying efforts, we have to redo hydraulics
6 and hydrology, and the whole issue of sea level rise
7 and its impact on us. We're basically at the bottom of
8 the Delta.

9 The schedule, the program management plan,
10 it's under development by Russ Rote with the Corps of
11 Engineers. And with that, there's a cost-sharing
12 agreement.

13 The study cost is estimated in the \$8 to
14 \$10 million, and it's going to be federally shared
15 50 percent, state 25 percent, and the locals
16 25 percent. It is scheduled to go before your Board on
17 the June Board meeting.

18 This is the local coordination. We have nine
19 reclamation districts, the cities of Lathrop, Manteca,
20 Stockton, and unincorporated county are going to -- and
21 SJAFCA and county flood control are going to be locally
22 sharing in the cost of that 25 percent local cost of
23 the project. And I also forgot Lodi there. They have
24 a sewer treatment plant, kind of on the north side of
25 the study area.

1 So the local share agreement is between the
2 SJAFCFA and San Joaquin County, the cities of Lathrop,
3 Manteca, Stockton, and Lodi, and then these are the
4 nine reclamation districts that are in the Stockton
5 metropolitan area RD17 all the way up to 2042.

6 That concludes the brief stall report. We're
7 just starting on that. It's going to be expedited.
8 When we built our project, our \$70 million project,
9 three and a half years, probably going to be very
10 fortunate if we can get through the feasibility study
11 in that period of time.

12 So it's an expedited process, but kind of a
13 necessary steps I think we need to start. And I think
14 it's going to have -- it's going to unify the county.
15 We're going to be speaking with one voice. That's one
16 good thing that comes out of this.

17 And hopefully it will help us to get to the
18 200-year flood protection. I don't know what that will
19 be, whether it's going to be levee raising or side
20 stream storage or exactly what it will be. Hopefully
21 we can get that out of the feasibility study.

22 So anyway, that concludes my brief report.

23 MR. WINKLER: A comment I would add as one of
24 the local partnering agencies would be that these
25 feasibility studies, you know, \$8 to \$10 million, we

1 haven't fixed anything, we've just studied it.

2 It's a long -- got to redo the hydrology and
3 the reservoir operation review for the whole Central
4 Valley to do this study then identify what needs to be
5 done locally. What are the options, alternatives, what
6 are the permits and processes we need to go through.

7 It's a painful process we look forward to.
8 It's an expensive process.

9 I think the State through Prop 1E and Prop 84
10 and the local agencies have their funding lined up.
11 One of the challenges is getting the federal
12 appropriations to fund the Corps' 50 percent study
13 share.

14 There are local efforts to work with our
15 elected officials in Washington to help encourage that,
16 but every year we're going to have to be back to get
17 the next annual appropriation because if the Corps
18 isn't funded the study stops. A difficult thing now.

19 We are working on some options and workarounds
20 to locally fund and accelerate and loan and local
21 shares and in-kind matches to accelerate that, but we
22 are still at some point subject to federal
23 appropriations and it's a tough climate, particularly
24 this year.

25 COMMITTEE CHAIR HODGKINS: Is the study

1 authorized?

2 MR. ROTE: Yes. There was a reconnaissance
3 report done and approved so the feasibility study is
4 authorized. In fact, we received feasibility study
5 funding this fiscal year, so technically we are in the
6 feasibility phase.

7 Once the feasibility cost-share agreement
8 that's currently underway is executed and we receive
9 the matching moneys, then technically the feasibility
10 study starts.

11 But we envision that happening this year.
12 There are some bumps in the road, but hopefully we can
13 get it done this fiscal year.

14 COMMITTEE CHAIR HODGKINS: Is there an
15 agreement actually in draft form between the local
16 agencies and DWR?

17 MR. WINKLER: Being finalized, yes.

18 COMMITTEE CHAIR HODGKINS: Very good.

19 MR. GIOTTONINI: Local that would sign the
20 agreement would be SJAFCA and the county would sign
21 locally. Then we'll look to our local funding partners
22 separate from that agreement to help share in the cost.

23 COMMITTEE CHAIR HODGKINS: That makes
24 excellent sense. Okay.

25 MR. FLINN: Butch?

1 COMMITTEE CHAIR HODGKINS: Yes.

2 MR. FLINN: Tom Flinn, Director Public Works,
3 San Joaquin County.

4 Add on to the financing a little bit. We did
5 take back in our One Voice trip which was all the
6 entities in San Joaquin County back to Washington in
7 April, our top priority was the funding for this.

8 We were asking for \$5 million. Our discussion
9 with the Corps they said next year they could probably
10 spend 1.3.

11 Senator Feinstein was very supportive of the
12 recommendation as was both Congressman Cardoza and
13 McNerney. So at least we feel good about having our
14 local representatives on board. If anybody knows
15 anybody back there that would like to mention it, that
16 would probably be helpful.

17 (Laughter)

18 COMMITTEE CHAIR HODGKINS: Just for what it's
19 worth, find out what they can spend, then work on
20 getting that amount.

21 Because what will happen is if by chance you
22 get the five million, they will use a million and a
23 half for this and the other three and a half will go to
24 another project.

25 And then when you go back to get the

1 additional money, eventually you're going to hear wait
2 a minute, we've already appropriated ten million for
3 this feasibility study even though only three million
4 of it may have been expended on it.

5 So it makes a lot of sense to work closely
6 with the district to the extent they will tell you what
7 their capability is, and that's what you ought to be
8 asking for. You get more, it doesn't necessarily help
9 your project. Helps somebody else's. And the State of
10 California would be happy to use the moneys someplace
11 else.

12 MR. FLINN: They've agreed they can only spend
13 1.3 next year, so we defined that appropriation request
14 for 1.3.

15 COMMITTEE CHAIR HODGKINS: Good.

16 MR. FLINN: Makes it more palatable for our
17 representatives to advocate.

18 COMMITTEE CHAIR HODGKINS: Yeah. Anything
19 else? Okay.

20 The last item before we go to public comment
21 this morning is a discussion on a potential option for
22 a bypass.

23 MS. DELL'OSSO: If you don't mind there's
24 going to be a number of us speaking, so I thought I
25 would move over there.

1 COMMITTEE CHAIR HODGKINS: I've been advised
2 we're ahead of the time posted on the agenda, which is
3 a great thing. But that means we're going to take a
4 ten minute break in case someone shows up at the
5 appointed time. Ten minutes.

6 (Recess)

7 COMMITTEE CHAIR HODGKINS: Ms. Dell'Oso.

8 MS. DELL'OSSO: Yes.

9 COMMITTEE CHAIR HODGKINS: Are you ready?

10 MS. DELL'OSSO: I am ready.

11 Susan Dell'Oso. I'm the Project Director for
12 River Islands, and we're here today to present a new
13 alternative for a bypass south of the Paradise Cut
14 area.

15 And with me -- we're going to do somewhat of a
16 tag team approach. Glenn Gebhardt is our Engineering
17 Manager for River Islands. Both of us are trustees of
18 RD 2060, and Glenn has been working closely with MBK
19 on the modeling efforts. So he's going to go over the
20 official results that we found on the bypass.

21 And probably most importantly we have with us
22 Monty Schmitt from NRDC. Boy, it was less than a year
23 ago we were in litigation with each other. So to be
24 sitting at the table as team members is pretty
25 important. Monty is the Senior Water Resources

1 Scientist for NRDC.

2 How we really came together here is the
3 Reclamation Board back in April of 2006 issued a permit
4 for River Islands to fill a gap between two levees.

5 For any of you who know the River Islands, we
6 built a levee inside of a levee and then went back to
7 the State Reclamation Board -- that was your name at
8 the time -- to request a fill between those two levees.

9 And at that time, NRDC in conjunction with
10 Natural Heritage Institute, state Sport Fishermen and
11 Delta Keeper sued the Reclamation Board's permit and
12 the River Islands project as well.

13 So we actually went to court on that, and the
14 court ruled in favor of us and against us for both
15 sides.

16 But when the court ruled, it promoted us to
17 sit down together and work with NRDC and the State
18 Reclamation Board to work on an alternative that would
19 settle the lawsuit and allow the project to move
20 forward and do something that would have regional
21 benefits for the area.

22 That's what we're presenting to you today is
23 this Lower San Joaquin River Regional Flood Bypass that
24 resulted from our negotiations in the settlement.

25 We're still refining the proposal. In fact,

1 we've been meeting with a number of you in the audience
2 and we're still seeking input so we don't have the
3 final lines to draw on the map, and we don't have all
4 the final answers.

5 But we're beginning to solicit support, to
6 solicit input, and we'd really like to get involved in
7 the Lower San Joaquin feasibility study and State Plan
8 of Flood Control and take this to the next level.

9 We know that from state legislation there is a
10 flood bypass proposed for this area. Obviously,
11 there's Paradise Cut which is the border of the River
12 Islands project, and we want to look at this area a lot
13 more carefully.

14 You can go to the next slide.

15 What's important to keep in mind, this bypass
16 is totally separate from the River Islands project. In
17 all of our modeling we assume a base case where River
18 Islands is in place. We proposed for River Islands
19 setting back the northern side of the Paradise Cut.

20 So we are setting back the levees along
21 Paradise Cut somewhere from 900 to 1200 feet, then
22 doing some improvements not to the weir but to a bench
23 adjacent to the weir that would allow more water to
24 flow into Paradise Cut.

25 But it doesn't do anything necessarily for

1 regional benefit. Basically the improvements we
2 propose for River Islands are just to mitigate the
3 impact of taking the Stewart Tract or River Islands out
4 of the floodplain.

5 So what we're talking about here is totally
6 separate. It is something more regional in nature.
7 River Islands is proceeding with an EIS for the
8 northern setback along Paradise Cut. That EIS is
9 ongoing, and it should be become public by the end of
10 this year, maybe the beginning of 2009, and it's
11 separate.

12 Also as part of our settlement agreement with
13 NRDC and NHI, we have agreed that the River Islands
14 project is grandfathered in as proposed, so those
15 Paradise Cut improvements on the north side will happen
16 as part of our project.

17 Just to reiterate, this is a new flood bypass
18 to the south, not dependent upon River Islands moving
19 forward or not moving forward, and it's something that
20 will be analyzed with River Islands, but not
21 necessarily as dependent to the project.

22 And I'm sure there's going to be questions on
23 that, and we can talk about that in more detail as we
24 go on. Monty?

25 MR. SCHMIDT: Sure. So as Susan referenced,

1 originally a year ago, we were in litigation and today
2 we're now project partners.

3 And we all come to this, I think, with
4 different interests. But I think we actually, reason
5 why we settled, we saw we really shared all the same
6 interests with varying degrees of emphasis but we saw
7 when we sat down we could do a lot of things together,
8 and that togetherness is actually expanding by this
9 meeting and others to come about working together and
10 finding more commonality.

11 We realized that, one of the first things, we
12 can actually make a really big difference by working
13 together in terms of providing flood protection,
14 benefits for ecosystems, and working -- if we want to
15 see those things happen, we have to work together in
16 order to make sure they're compatible with other flood
17 management programs, FloodSAFE and Lower San Joaquin
18 River feasibility study we just heard about.

19 And more importantly, it's working with local
20 stakeholders. We recognize that there are a lot of
21 great projects people have talked about over the years
22 on the Sacramento and the San Joaquin that never come
23 to fruition because there's not the right level of
24 local support.

25 So we have also been spending a lot of time

1 working with, meeting with folks to share the concepts
2 that we've come up with.

3 Susan referenced we don't have lines on a map
4 right now. We have concepts that have been fleshed out
5 enough to know that we have -- we think we have some
6 really exciting viable opportunities here, but that it
7 really isn't going to be done just with us. It's
8 really about making sure that it incorporates and works
9 with other people's interests.

10 MR. GEBHARDT: As far as current activities,
11 we are refining the model runs, looking to be sure that
12 our initial goals of the 20 inch reduction and the
13 limitation on impacts downstream are met.

14 MS. DELL'OSSO: Do you want to go back to the
15 goals? Because that was -- just if you go back one.

16 These are really important things that came
17 out of our settlement agreement, and probably the most
18 critical thing to the people in this room is that we're
19 looking for a 20-inch reduction in flood stage on the
20 RD17 levees in a 100-year storm.

21 That reduction really goes all the way
22 basically upstream to Vernalis, I want to say, and
23 downstream to the deep water port. So there's benefits
24 all along the San Joaquin River.

25 And if you want to elaborate more on this?

1 MR. SCHMIDT: Yeah. Some of the modeling runs
2 we've done thus far have shown up to a 20-inch benefit.
3 Which I'm sure most of you know the system, that's
4 fairly substantial.

5 Maybe that doesn't do everything that
6 everybody wants in all places, but this isn't --
7 obviously it's not the solution for everything and all
8 flood management issues in the area, but it seems to us
9 as a pretty good starting place, maybe one component of
10 a larger regional fix.

11 For some people it will be an increase in the
12 reliability, just merely the reliability of their
13 levees as opposed to providing more protection. There
14 is all sorts of issues of the State Plan of Flood
15 Control and the fact that some of these are Corps
16 levees.

17 And another part of this too, obviously, from
18 our perspective is the need to see how some of the
19 issues playing out right now in the Delta water in
20 terms of water supply, water quality, and fish species
21 that are in pretty dire straits, some of that is
22 connected to a need for a greater habitat in order to
23 resolve some of those issues.

24 So we see this as an opportunity to maybe
25 create something that provides habitat benefits, also

1 provides flood protection benefits, and hopefully
2 designs the two in a way where we stop having the
3 conflict between habitat and flood protection.

4 If we do it knowing we want to have both, then
5 it's compatible and hopefully works for everybody as
6 opposed to creating tensions.

7 MR. GEBHARDT: We are continuing to discuss
8 this plan with all the different stakeholders, with the
9 rec districts, with the state agencies, and working and
10 communicating with the feds.

11 Property owners are a key, and we're talking
12 with the local reclamation districts to discuss just
13 the different potential impacts. We'll take a look at
14 the areas in a minute on the map.

15 And researching alternatives for land
16 acquisition and project funding are key. This really
17 is a regional improvement we're trying to achieve. So
18 we need to keep in touch with the different
19 possibilities for the acquisition funding.

20 Again, as Susan mentioned, the initial concept
21 that we do fine tune will be in the River Islands EIS.

22 This is just a regional map, give you a quick
23 glimpse of the area we're talking about. This is the
24 San Joaquin River. You've got Paradise Cut down
25 through here.

1 And the area we're talking about is in between
2 Tom Paine Slough and Paradise Cut. This is the area
3 that we're looking for some rational bypass.

4 We do have a very refined HEC-RAS model in
5 this area. This is the center of the modeling effort.
6 So we feel that the results that we're getting really
7 are something that's accurate enough to be able to
8 share with people as we fine tune them.

9 As Susan mentioned, the base case really is
10 assuming the improvements that are part of the River
11 Islands project are already in place. Starting from
12 the downstream, this is the weir at Paradise, the bench
13 we'll be lowering, the initial setback levee. This
14 area. Then there's a very extensive setback levee
15 along Paradise Cut, all along the north side.

16 Next slide.

17 The changes we're talking about really are --
18 again, all the improvements are on the south side.
19 We've looked at an increased weir.

20 First thing we did, the existing weir at
21 Paradise Cut, we widened that from the existing
22 180-foot to a 400-foot weir. That provided a pretty
23 substantial drop in the elevation in the river, San
24 Joaquin, with minimal impacts downstream.

25 We realized that was a nice improvement about

1 an 8-inch drop, but it wasn't enough.

2 As part of the base improvements we're
3 proposing, we're also looking at one of the downstream
4 restrictions in this area, assuming -- a section in
5 here, and Doughty Cut and Salmon Slough that are very,
6 very silted in.

7 There's a part in here that will have to be
8 dredged. We're also looking at cutting down some of
9 the islands that are at the very center of this area.

10 Separate from that, we initially -- you can
11 see a couple of different locations up in here, we're
12 considering and still looking at bringing an additional
13 weir off the San Joaquin River and bringing water in
14 some alignment through this area. Then the question
15 is: How do we get that water back in to Paradise Cut?

16 And there's several alignments we're looking
17 at, tying back in this area or potentially using some
18 existing structures along the alignment of Tom Paine
19 Slough to get underneath I-5 and 205, through this
20 area, and tying back into the Paradise Cut.

21 Those are the details that we're modeling in
22 order to look at the different changes that we find and
23 what really is a viable alternative.

24 MS. DELL'OSSO: One thing I'd point out is
25 that we have found when looking at the 5, 205 and the

1 two rail lines right there that the structures do
2 provide adequate capacity to bring additional water
3 underneath.

4 Because one of the concerns from Monty's group
5 was what was the cost? Do we have to go rebuild the
6 freeway to get more water underneath there? And with
7 some culvert -- use of existing structures, we should
8 be able to do it with what we have.

9 MR. GEBHARDT: And our ultimate goal,
10 obviously, is to maximize the drop in elevation along
11 the San Joaquin River while at the same time minimizing
12 the impacts downstream.

13 And we clearly have found a number of
14 different scenarios that pull a tremendous amount of
15 water off the San Joaquin River. Now the question
16 really comes down to alignment: To what extent does
17 Paradise Cut need to be widened along the south side?
18 Where do we come back into Paradise Cut?

19 And what are opportunities through this area
20 for some off-stream storage? We're convinced that we
21 can provide off-stream storage in a way that does not
22 prevent the area from being farmed, similar to the
23 farming that you have right now in all these areas in
24 the middle of Paradise Cut.

25 The timing we are looking at flowing for a

1 flood bypass would not be the same timing the areas
2 would be farmed.

3 So part of the plan we are pursuing is to look
4 for opportunities for some off-stream storage that
5 would mitigate the final impacts that we need to avoid
6 downstream.

7 Next slide.

8 MS. DELL'OSSO: What we're doing now is we're
9 refining project alternatives. MBK as Glenn mentioned
10 has developed a HEC-RAS model that goes from Vernalis
11 to Grant Line and to the deep water channel. That
12 model has been vetted through both the Corps and the
13 State Rec Board. For years, it was vetted through
14 those two agencies.

15 We figure -- we have determined that it's a
16 pretty reliable model. At least it simulates 1997
17 pretty well. So we're looking at the different
18 alignments right now and analyzing the benefits and
19 impacts from that.

20 We're also working with stakeholders. And
21 what's critical there is the farmers who are going to
22 be impacted either with the land being used for the
23 bypass or that would be receiving additional water from
24 having Paradise Cut widened and having more water go
25 downstream.

1 And our initial conversations with these
2 groups has been quite positive -- to our surprise.
3 Farmers are pretty much willing, as long as there's a
4 good price for the land, they are pretty much willing
5 to consider either a sale or some kind of payment plan
6 for the use of their property as a flood bypass storage
7 area.

8 And there is downstream from us -- our impacts
9 are, even though we're taking 20 inches off the San
10 Joaquin, we're still looking at about 3, 4, 5 inches of
11 additional increase to the agricultural areas
12 downstream.

13 And where those agricultural areas are
14 downstream closer to Grant Line Canal there's a
15 tremendous amount of freeboard.

16 So there may be a possibility to work a deal
17 with some of these farmers where we help fix their
18 levees because they have a lot of freeboard, but they
19 have pretty bad levees.

20 I mean they have vertical levees, they don't
21 have a lot of funding for maintenance. So we are
22 talking about alternatives of fixing their problems
23 that they have today regardless of what the water
24 elevation is that could accommodate the additional
25 water flow down there.

1 Then there's the question about how we put
2 this together.

3 We are here because we have a settlement
4 agreement with the environmental groups. Monty is here
5 because he has a settlement agreement with us. But we
6 both want to see this done, but we're not going to do
7 it ourselves.

8 So if we are going to provide a plan that has
9 such regional benefit, we really need to look to this
10 audience -- and especially the State; the State is a
11 partner with us in this process as well -- to form some
12 kind of implementation group and make sure that we can
13 take this to the next level.

14 Go ahead.

15 And then finally in summary to reiterate, the
16 initial modeling results really are promising. The
17 benefits of flood stage reduction on the San Joaquin
18 are significant with minimal impact or at least
19 solutions that can be found downstream we hope.

20 It's unusual to have both the development
21 community and the environmental community sit at the
22 same table. As Monty mentioned, we were absolutely at
23 odds with one another until we came to realize that we
24 can do a lot more good working together sitting at the
25 same table to get something done.

1 So we think if we take our group up here at
2 this table and combine it with the State who's also a
3 partner in this because the lawsuit was against the
4 State Reclamation Board, combine that with other
5 developers and the local municipalities, then we should
6 be able to form a pretty formidable group to get this
7 done.

8 Obviously, one of the keys is if you have a
9 stronger group you have a lot more probability of
10 getting funding. We believe that working together we
11 should be pretty formidable to try to take some of the
12 Prop 1E money and use it for a new bypass in this area.

13 And we finally conclude that in addition to
14 helping the urban areas there may be alternatives for
15 the farmers and the rural area agricultural users
16 downstream from us to benefit from this as well, maybe
17 from additional flood protection.

18 Because right now they get flooded whenever it
19 happens. So there's really no way to control the
20 flooding on their properties. So controlled floods,
21 better water quality through dredging some of these
22 mucked-up channels, and possibly helping improve their
23 existing levees that have problems right now.

24 We think there's ways for all parties to
25 benefit. And if we do it together and do it with

1 members of this group, then we might get something
2 done.

3 So that's kind of our proposal. We're still
4 in the infant stages right now, and we're asking to
5 become part of some of these studies like the Lower San
6 Joaquin feasibility study, State Plan of Flood Control.

7 And we're very pleased -- Butch was involved
8 in the settlement, as was Nancy Finch, legal counsel
9 for the Board, one of the legal counsels for the Board.

10 So we already have relationships with the
11 State, and they are going to continue to be partners
12 with us. So we're hoping to get this kicked off and
13 get going. And we'll be happy to entertain any
14 questions.

15 MR. ROTE: Do you have a conceptual design?

16 MS. DELL'OSSO: We said we don't want to put a
17 line on the map. We made that mistake of doing that,
18 showed it to Alex Hildebrand. That was a big mistake.

19 We do have a conceptual alignment. We have a
20 few conceptual alignments, but we're modeling those
21 right now so we don't necessarily want to make them
22 public until we talk to the property owners who are
23 going to be affected by it

24 MS. ANTYPAS: Deedee Antypas, Siegfried
25 Engineering.

1 With the modelling that you've done already,
2 what kind of effects are you seeing down towards
3 Vernalis on the upstream end of this?

4 MS. DELL'OSSO: Significant actually.

5 MR. GEBHARDT: It is. I know that downstream
6 we looked 15 miles downstream, and there's still a
7 1-foot drop. Upstream that increase -- that benefit
8 reduces more quickly. But there still is -- I thought
9 it was about a 6-inch drop all the way to Vernalis.
10 There is a benefit quite a ways upstream.

11 MS. DELL'OSSO: Part of our problem is the
12 control point, Vernalis, would have to go to zero, so
13 the modeling kind of gets forced to dissipate.

14 MR. DOUNG: Ricky DOUNG, DWR.

15 Your report, what -- is it based on the comp
16 study model or is it something different?

17 MR. GEBHARDT: It's actually something
18 different. It's a refinement of -- the inputs are from
19 the comp study model, but within the limits that we've
20 got -- we started with the model, really the Rec
21 Board's modeler, and it was refined by MBK.

22 So we take the inputs from the comp study and
23 refine this reach pretty thoroughly, and it's been
24 refined to very carefully and very thoroughly replicate
25 the '97 flood.

1 MS. DELL'OSSO: The model was really developed
2 for the River Islands project because we had to
3 demonstrate that we had offset or mitigated the impacts
4 for taking the Stewart Tract out of the floodplain.

5 So it was looked at very carefully by the
6 State's reviewer who is Bob MacArthur from NHI -- NHC?
7 NHC -- and also by the Corps. So that took about two
8 years for the review.

9 And again, we apologize that there aren't
10 lines on the map but that's intentional. And if you
11 came to our office, we'd show you what we're looking
12 and burn the paper afterwards.

13 It's so sensitive for the farmers whose
14 property -- and it's not dependent -- it's not like we
15 need a thousand-foot setback along Paradise Cut that is
16 a linear thousand feet. It could be one property here,
17 if there is not a willing property owner, that's okay.

18 We need to make sure we have the willing
19 property owners. And we don't want to scare anybody,
20 and we need their input and cooperation, so.

21 MR. SCHMIDT: As Susan mentioned, we met with
22 many -- with the reclamation district that represents
23 most of the properties on the south side. And some of
24 the modeling we're doing right now is based on input
25 from them. And some of the changes in our concept have

1 come from our meeting with them.

2 So it is very conceptual, trying to understand
3 and learn where the opportunities are. And out of
4 respect for, you know, our meetings and conversations
5 with them, we're trying to not put lines on the map
6 because we're still trying to work up the concept and
7 keep working with them too.

8 MR. ROTE: To do the modeling, you need a
9 geometry. So you have alternative plans with alternate
10 geometries. Russ Rote, concerned citizen.

11 (Laughter)

12 MR. ROTE: Corps of Engineers.

13 MR. NEIRA: Juan Neira, SJAFCA. Are you guys
14 considering the 200-year in the modeling?

15 MS. DELL'OSSO: River Islands is -- the
16 200-year flood protection the levee is a 300-foot-wide
17 levee. That was part of the need for us to do the
18 modeling for River Islands, to even calculate what the
19 200-year level of flood protection was. So our
20 development area will have 200-year level of
21 protection.

22 This flood bypass was not intended to provide
23 protection to anybody adjacent to the flood bypass, to
24 the south, for example.

25 But if we lower the elevation of the San

1 Joaquin River, our thought is that the urban areas
2 along RD17 and SJAFCA would have a lot easier time
3 meeting the 200-year level of protection because they'd
4 have a lot more freeboard with the lower river
5 elevation.

6 COMMITTEE CHAIR HODGKINS: One of the things
7 that appeals to me about this kind of approach is up on
8 the Sacramento we have the Sacramento Bypass, and the
9 Yolo Bypass. And in Sacramento, if you live in Natomas
10 like I do, in a 1986, 1997 kind of flood, 15 percent of
11 the water is in the Sacramento River and that's what's
12 the potential threat to Natomas. 85 percent of the
13 water is in the Yolo Bypass.

14 So you've got a bypass in place, and you're
15 just in a much better situation in the long run to
16 address the fact that there is nothing constant about
17 flood protection.

18 It all changes as we find out more about what
19 nature can deliver to us in terms of the amount of
20 water and whatever.

21 But what you have is a relief point that has a
22 lot more capacity and the ability to keep water away
23 from the urban areas and provide you a foundation for
24 building on increased flood protection in the long run.

25 But, you know, my experience also is that the

1 one thing that will kill a project is if you can't get
2 local interest behind the project.

3 So I think the idea here is engage here with
4 these folks in terms of if you have concerns or you see
5 potential benefits and you want to know how they might
6 be addressed by this project. Work with these folks.

7 I will also tell you that our experience has
8 been when we had an environmental partner -- and it's a
9 little scary the first time. But if you're down
10 working with them at the beginning, trying to figure
11 out what their needs are, how you can meet their needs
12 as well as your own needs from a flood control
13 standpoint, if you develop a partnership, that when it
14 gets time to do the project, the project moves forward
15 much more readily and easily because you don't have
16 this basis of distrust that you usually get from the
17 environmental community because they've been involved
18 from the beginning in working out what you do.

19 So it's a good approach, even though it's
20 scary to think you might be in a partnership with NRDC.

21 (Laughter)

22 MS. DELL'OSSO: We never thought we'd be here.

23 COMMITTEE CHAIR HODGKINS: Take a chance. I
24 really encourage you to do that.

25 Because the potential benefits far outweigh

1 the fact that you don't know these people and perhaps
2 you don't trust them. They probably look at you a
3 little bit the same way.

4 MS. DELL'OSSO: And I can't emphasize that
5 enough because there were several times during our
6 negotiations that we both almost walked away from the
7 table.

8 And then we realized that we both have a
9 mutual goal and if we work together we really could get
10 something done -- or we're going to be in litigation
11 for the next ten years and get nothing done.

12 And this is a time when Sacramento is really
13 organized. Everyone is really organized up in Natomas
14 and there's a big pot of money up there that could go
15 to Sacramento if we don't organize it for down here.

16 So to be working together and looking at a
17 kind of holistic regional approach that could include
18 dredging or things that maybe you guys would never
19 consider, but if it's on a regional basis, it's on the
20 table.

21 So everything is kind of on the table because
22 we're working together. It's kind of nice.

23 And we did put a little -- there's some seed
24 money in this project as well. Part of our settlement
25 agreement, there's seed money to do some of the land

1 options and obviously the modeling.

2 And the project is rolling with or without
3 anybody, but we need the assistance to keep it going.

4 MR. GEBHARDT: One of the fine tunings we're
5 working on, working toward, is really the habitat
6 issues.

7 As we really focused on channel alignment
8 capacity, what are the alternatives. Once you start
9 studying back levees do you leave those levees in place
10 as habitat? Is that whole setback farm land or is a
11 portion of it habitat?

12 Those are some of the details we know we have
13 yet to refine as part of the details. And these guys
14 have been very patient and focusing on let's make the
15 hydraulics work and then see how we adjust that and
16 make sure the habitat issues are in balance and this
17 delivers a project everybody can be happy with.

18 MS. DELL'OSSO: Which actually brings up that
19 what we don't necessarily want is input on where the
20 alignment should be, how the habitat should happen.

21 We want to amongst ourselves come up with what
22 the alternative is and the exact alignment and then
23 have that be the project and then get everybody
24 involved.

25 Because we have other alternatives. Yes,

1 there's a reduction in the San Joaquin River that we're
2 looking for, but the habitat benefits Glenn mentioned
3 is really near and dear to Monty's heart and something
4 that's important too.

5 So there is a whole kind of combination of
6 things that we have as goals here, and we want to
7 develop that and do that, you know, with people's
8 input, but we'll make that final determination amongst
9 ours -- with ourselves is all three of us -- and then
10 bring that as an alternative to be included like in the
11 Lower San Joaquin River feasibility study.

12 COMMITTEE CHAIR HODGKINS: And understand,
13 clearly, the Board has not said this is our
14 alternative; we like this approach.

15 From our standpoint, it looked like a way to
16 address the issue of the amount of water that comes
17 down the San Joaquin and the capabilities of the lower
18 San Joaquin as it goes by Lathrop and Stockton, and so
19 for that reason it ought to be examined in some detail.

20 When a feasibility study is in the process of
21 being prepared, the local interests need to have a
22 pretty good idea of what they like and what they don't
23 like and then, I'm going to say drive, the Corps to
24 make sure that your interests are clear and understood
25 by the Corps.

1 Because the Corps are very much engineers
2 which means they don't necessarily have the ability to
3 work and accommodate a lot of the local concerns that
4 are really important to getting support for a project
5 but are not primary engineering concerns.

6 So engage, and have some idea of whether you
7 like or don't like this kind of an approach as the
8 Corps starts to go forward with that study.

9 MR. ESTRADA: Can I just make an observation
10 here? Talking a 100-year flood, SB 5.

11 Looking at this map here, you know, project
12 area. And a hundred years -- is this whole area going
13 to be like Stockton, all filled in with house? So
14 we're going to say to the Corps of Engineers, give us
15 another 20 miles of sustainable, defensive levees.

16 So you get the San Joaquin River, all this
17 200-year flood, to an urban map. Another 30,000 acres
18 there devoted to housing.

19 And I think what my suggestion is, the water
20 board, you say, you know what, this is farm land. And
21 the encroachment of urbanization into farm land should
22 stop somewhere. And limit the amount of the defensible
23 levees says the next 100 years, 200 years, this is what
24 we want to look at. Canal going through San Joaquin
25 County, like the canal going through Los Angeles.

1 Concrete structure to take the overflow.

2 COMMITTEE CHAIR HODGKINS: In response to
3 that, from again my personal viewpoint, I couldn't
4 agree with you more.

5 But I think the thing you have to understand
6 is we don't have the authority. We don't have a law
7 that would enable us to say this is the line.

8 The whole concept of local land use -- of land
9 use planning, the power is vested in cities and
10 counties, not the state Reclamation Board.

11 But I will tell you again from the Sacramento
12 side of this, if you get a bypass in place -- or even a
13 concept of a bypass pretty clearly defined -- the
14 developers will leave it alone because they understand
15 that it's important to providing flood protection for
16 their areas in terms of whatever they want to do.

17 So a bypass is -- it stakes out those kinds of
18 lines without making them legal encroachments into
19 local land use authority.

20 And it's a good approach.

21 COMMITTEE MEMBER BURROUGHS: Thank you for
22 your comment. It goes in line with the blue ribbon
23 task force work as well as, as Butch said, land use
24 issues. Very good point. Thank you.

25 COMMITTEE CHAIR HODGKINS: Other questions or

1 comments? Anybody have anything negative to say about
2 this?

3 I mean, so far there hasn't been any negative
4 comments. If there are, we need to hear them. They
5 need to hear them. Okay. All right.

6 We're going to move on now to just general
7 public comments. If there is anybody here who would
8 like to ask a question of or make a comment for both
9 the Board Members as well as the local officials who
10 are here to hear. Now's the time to do it.

11 When we finish that we're going to take a
12 break for lunch. At 1 o'clock we'll depart from this
13 building to proceed on our tour. You're welcome to
14 join us if you want to, but you're going to have to
15 provide your own transportation.

16 Any comments? Okay. Hearing none, seeing
17 none, I want to thank you. It's been very helpful to
18 us, I think, as Board Members in getting a better
19 understanding of the kinds of things that are under
20 consideration and who is working with who down here.

21 And you have our commitment to do what we can
22 do to try and prevent areas from falling into a
23 regulatory floodplain that requires floodplain
24 insurance there if there is any way to avoid having
25 that happen. Jay?

1 EXECUTIVE OFFICER PUNIA: I just want to
2 acknowledge Roger Churchwell and Geoff Shumway's
3 efforts to coordinate this to checking the schedule of
4 the Board Members and others and making this happen.
5 And Roger, appreciate your assistance in that.

6 MR. CHURCHWELL: You're welcome.

7 COMMITTEE CHAIR HODGKINS: And thanks,
8 somebody, for the coffee and donuts. I know the State
9 didn't provide those.

10 (Laughter)

11 COMMITTEE CHAIR HODGKINS: All right. Let's
12 go ahead and break now, and be back again at 1 o'clock.

13 * * *

14 (Thereupon the Central Valley FLOOD

PROTECTION BOARD SAN JOAQUIN AREA

15 SUB-COMMITTEE MEETING meeting adjourned
at 11:37 a.m.)

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1 CERTIFICATE OF REPORTER

2 I, LINDA KAY RIGEL, a Certified Shorthand
3 Reporter of the State of California, do hereby certify:

4 That I am a disinterested person herein; that
5 the foregoing Central Valley FLOOD PROTECTION BOARD SAN
6 JOAQUIN AREA SUB-COMMITTEE MEETING meeting was reported
7 in shorthand by me, Linda Kay Rigel, a Certified
8 Shorthand Reporter of the State of California, and
9 thereafter transcribed into typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said meeting nor in
12 any way interested in the outcome of said meeting.

13 IN WITNESS WHEREOF, I have hereunto set my
14 hand this June 13, 2008.

15

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19 LINDA KAY RIGEL, CSR

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